

**FILED**  
MAR 27 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**PETITION FOR A WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

Name REMMERT SHIRLEY V.  
(Last) (First) (Initial)

Prisoner Number 990 BERKELEY AVENUE

Institutional Address MEMLO PARK, CA 94025

**RECEIVED**  
MAR 12 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

SHIRLEY V. REMMERT  
(Enter the full name of plaintiff in this action.)

VS.

DISTRICT ATTORNEY C.P. FOX \*

CALIF. STATE

ATTORNEY GENERAL

JERRY BROWN

(Enter the full name of respondent(s) or jailor in this action)

Case No. 08-1645  
(To be provided by the clerk of court)

**PETITION FOR A WRIT  
OF HABEAS CORPUS/EXH 1-17**

CASE NO. 34053/A

**CRB**

**(PR)**

ORIGINAL

**Read Comments Carefully Before Filling In**

**When and Where to File**

You should file in the Northern District if you were convicted and sentenced in one of these counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo and Sonoma. You should also file in this district if you are challenging the manner in which your sentence is being executed, such as loss of good time credits, and you are confined in one of these counties. Habeas L.R. 2254-3(a).

If you are challenging your conviction or sentence and you were not convicted and sentenced in one of the above-named fifteen counties, your petition will likely be transferred to the United States District Court for the district in which the state court that convicted and sentenced you is located. If you are challenging the execution of your sentence and you are not in prison in one of these counties, your petition will likely be transferred to the district court for the district that includes the institution where you are confined. Habeas L.R. 2254-3(b).

1345

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Who to Name as Respondent

You must name the person in whose actual custody you are. This usually means the Warden or jailor. Do not name the State of California, a city, a county or the superior court of the county in which you are imprisoned or by whom you were convicted and sentenced. These are not proper respondents.

If you are not presently in custody pursuant to the state judgment against which you seek relief but may be subject to such custody in the future (e.g., detainers), you must name the person in whose custody you are now and the Attorney General of the state in which the judgment you seek to attack was entered.

A. INFORMATION ABOUT YOUR CONVICTION AND SENTENCE

1. What sentence are you challenging in this petition?

- (a) Name and location of court that imposed sentence (for example; Alameda County Superior Court, Oakland):

SUPERIOR COURT

SAN MATEO COUNTY

Court

Location

- (b) Case number, if known SM 340531 A

- (c) Date and terms of sentence JAN 17, 2007

- (d) Are you now in custody serving this term? (Custody means being in jail, on parole or probation, etc.) Yes X No

Where? AT HOME : 990 BERKELEY AVE.  
MENLO PARK, CA 94025

Name of Institution:                                     

Address:                                     

2. For what crime were you given this sentence? (If your petition challenges a sentence for more than one crime, list each crime separately using Penal Code numbers if known. If you are challenging more than one sentence, you should file a different petition for each sentence.)

(1) PC sec 368(c); (2) PC sec. 368(c); (3) PC sec. 166(A)(4)

3. Did you have any of the following?

Arraignment: Yes \_\_\_\_\_ No X

Preliminary Hearing: Yes \_\_\_\_\_ No \_\_\_\_\_

Motion to Suppress: Yes X No \_\_\_\_\_

4. How did you plead?

Guilty \_\_\_\_\_ Not Guilty X Nolo Contendere \_\_\_\_\_

Any other plea (specify) \_\_\_\_\_

5. If you went to trial, what kind of trial did you have?

Jury X Judge alone \_\_\_\_\_ Judge alone on a transcript \_\_\_\_\_

6. Did you testify at your trial? Yes \_\_\_\_\_ No X

7. Did you have an attorney at the following proceedings:

(a) Arraignment Yes \_\_\_\_\_ No \_\_\_\_\_

(b) Preliminary hearing Yes \_\_\_\_\_ No X

(c) Time of plea Yes \_\_\_\_\_ No X

(d) Trial Yes X No \_\_\_\_\_

(e) Sentencing Yes X No \_\_\_\_\_

(f) Appeal Yes \_\_\_\_\_ No X

(g) Other post-conviction proceeding Yes \_\_\_\_\_ No X

8. Did you appeal your conviction? Yes \_\_\_\_\_ No X

(a) If you did, to what court(s) did you appeal?

Court of Appeal Yes \_\_\_\_\_ No \_\_\_\_\_

Year: \_\_\_\_\_ Result: \_\_\_\_\_

Supreme Court of California Yes \_\_\_\_\_ No \_\_\_\_\_

Year: \_\_\_\_\_ Result: \_\_\_\_\_

Any other court Yes \_\_\_\_\_ No \_\_\_\_\_

Year: \_\_\_\_\_ Result: \_\_\_\_\_

(b) If you appealed, were the grounds the same as those that you are raising in this

petition? Yes \_\_\_\_\_ No \_\_\_\_\_

(c) Was there an opinion? Yes \_\_\_\_\_ No \_\_\_\_\_

(d) Did you seek permission to file a late appeal under Rule 31(a)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you did, give the name of the court and the result:

\_\_\_\_\_  
\_\_\_\_\_

9. Other than appeals, have you previously filed any petitions, applications or motions with respect to this conviction in any court, state or federal? Yes X No \_\_\_\_\_

[Note: If you previously filed a petition for a writ of habeas corpus in federal court that challenged the same conviction you are challenging now and if that petition was denied or dismissed with prejudice, you must first file a motion in the United States Court of Appeals for the Ninth Circuit for an order authorizing the district court to consider this petition. You may not file a second or subsequent federal habeas petition without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b).]

(a) If you sought relief in any proceeding other than an appeal, answer the following questions for each proceeding. Attach extra paper if you need more space.

I. Name of Court: \_\_\_\_\_

Type of Proceeding: \_\_\_\_\_

Grounds raised (Be brief but specific): NEXT PAGE

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

Result: \_\_\_\_\_ Date of Result: \_\_\_\_\_

II. Name of Court: \_\_\_\_\_

Type of Proceeding: \_\_\_\_\_

Grounds raised (Be brief but specific):

4a

I. Name of Court: SUPERIOR COURT OF SAN MATEO COUNTY  
OR NEW TRIAL  
 Type of Proceeding: MOTION FOR ARREST IN JUDGMENT A

Grounds raised (Be brief but specific):

- a. "VICTIM" NOT A DEPENDENT ON 3/26/05 INCIDENT
- b. COUNTY CONSERVATOR'S PHYSICAL/MENTAL ABUSE OF "VICTIM"
- c. PSYCHIATRIST LIED, SAID "VICTIM" MY DAUGHTER IS A FELON
- d. PRIVATE DEFENDER SABOTAGED REQUEST FOR IN-PRO. PETR

Result: DENIED Date of Result: 1/17/07

II. Name of Court: SUPERIOR COURT OF SAN MATEO COUNTY  
 Type of Proceeding: PETITION FOR ACCESS TO JUROR'S IDENTIFYING  
INFO

Grounds raised (Be brief but specific):

- a. See I (d) above
- b. COUNTY COUNSEL (WITNESS) ALLEGEDLY FIXED JURY
- c. \_\_\_\_\_
- d. \_\_\_\_\_

Result: DENIED Date of Result: 1/17/07

III. Name of Court: U.S. DISTRICT COURT (C-07-80059 MJS)  
 Type of Proceeding: PETITION FOR WRIT OF HABEAS CORPUS

Grounds raised (Be brief but specific):

- a. ALL OF THE ABOVE
- b. FIFTH AMENDMENT RIGHT TO DUE PROCESS
- c. 14th AMENDMENT RIGHT TO DUE PROCESS
- d. \_\_\_\_\_

Result: DENIED Date of Result: 3/02/07

IV Name of Court: SUPERIOR COURT OF SAN MATEO COUNTY  
 Type of Proceeding: PETITION FOR WRIT OF HABEAS CORPUS  
 Grounds raised (Be brief but specific): # HC-1857  
ALL OF THE ABOVE +  
 a. SENTENCE SHOULD HAVE BEEN STAYED PENDING "ARREST-  
JUDGMENT" MOTION  
 b. "VICTIM" HAS CAPACITY;  
 c. "VICTIM"; MY DAUGHTER, NOT A DEPENDENT ON 3/26/05  
INCIDENT  
 d. NO MENS REA; DAUGHTER FALSELY IMPRISONED BY COUNTY  
 Result: DENIED Date of Result: 3/29/07

V Name of Court: SUPERIOR COURT OF SAN MATEO COUNTY  
 Type of Proceeding: MOTION FOR RECONSIDERATION  
RE PETITION FOR WRIT OF HABEAS CORPUS  
 Grounds raised (Be brief but specific):  
 a. ALL OF THE ABOVE + FALSE STATEMENTS IN  
PROBATION FILE  
 b. STAY OR MODIFICATION OF SENTENCE  
 c. MOTION TO COMPEL PRODUCTION OF TRANSCRIPTS  
DENIED BY REPORTER  
 d.  
 Result: DENIED Date of Result: 5/21/07

VI. Name of Court: STATE OF CALIF. APPEALS  
 Type of Proceeding: PETITION FOR WRIT OF HABEAS CORPUS  
 Grounds raised (Be brief but specific):  
 a. DAUGHTER HAS CAPACITY. WAS RAILROADED INTO CONSERV  
ATORSHIP  
 b. PHYSICAL & MENTAL ABUSE OF DAUGHTER BY COUNTY  
 c. NO CONTACT ORDER IS UNCONSTITUTIONAL NO CIVIL RIGHTS  
 d. INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS  
 Result: DENIED Date of Result: 11/14/07

4C

VI. Name of Court: U.S. DISTRICT COURT  
 Type of Proceeding: PETITION FOR WRIT OF HABEAS CORPUS  
 Grounds raised (Be brief but specific):  
 a. ALL OF THE ABOVE  
 b. \_\_\_\_\_  
 c. \_\_\_\_\_  
 d. DISMISSED 3/2/07  
 Result: DISMISSED Date of Result: 8/2/07

VII. Name of Court: CALIF STATE SUPREME COURT  
 Type of Proceeding: PETITION FOR WRIT OF HABEAS CORPUS  
 Grounds raised (Be brief but specific): ALL OF THE ABOVE &  
 a. MARSDEN DEFENSE: ATTORNEY DID NOT CALL  
"VICTIM" TO TESTIFY OR  
APPEAR IN COURT  
 b. \_\_\_\_\_  
 c. "VICTIM" NOT A DEPENDENT IN "HARM-TO-  
DEPENDENT" MISDEMEANOR  
 d. NO PROOF OF HARM  
 Result: DENIED Date of Result: 2/13/08

Name of Court: \_\_\_\_\_  
 Type of Proceeding: \_\_\_\_\_  
 Grounds raised (Be brief but specific):  
 a. \_\_\_\_\_  
 b. \_\_\_\_\_  
 c. \_\_\_\_\_  
 d. \_\_\_\_\_  
 Result: \_\_\_\_\_ Date of Result: \_\_\_\_\_

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a. \_\_\_\_\_  
b. \_\_\_\_\_  
c. \_\_\_\_\_  
d. \_\_\_\_\_  
Result: \_\_\_\_\_ Date of Result: \_\_\_\_\_

III. Name of Court: \_\_\_\_\_  
Type of Proceeding: \_\_\_\_\_  
Grounds raised (Be brief but specific):  
a. \_\_\_\_\_  
b. \_\_\_\_\_  
c. \_\_\_\_\_  
d. \_\_\_\_\_  
Result: \_\_\_\_\_ Date of Result: \_\_\_\_\_

IV. Name of Court: \_\_\_\_\_  
Type of Proceeding: \_\_\_\_\_  
Grounds raised (Be brief but specific):  
a. \_\_\_\_\_  
b. \_\_\_\_\_  
c. \_\_\_\_\_  
d. \_\_\_\_\_  
Result: \_\_\_\_\_ Date of Result: \_\_\_\_\_

(b) Is any petition, appeal or other post-conviction proceeding now pending in any court?

Yes \_\_\_\_\_ No X

Name and location of court: \_\_\_\_\_

**B. GROUNDS FOR RELIEF**

State briefly every reason that you believe you are being confined unlawfully. Give facts to support each claim. For example, what legal right or privilege were you denied? What happened? Who made the error? Avoid legal arguments with numerous case citations. Attach extra paper if you

1 need more space. Answer the same questions for each claim.

2 [Note: You must present ALL your claims in your first federal habeas petition. Subsequent  
3 petitions may be dismissed without review on the merits. 28 U.S.C. §§ 2244(b); McCleskey v. Zant,  
4 499 U.S. 467, 111 S. Ct. 1454, 113 L. Ed. 2d 517 (1991).]

5 Claim One: \_\_\_\_\_

6 *See NEXT PAGE.*

7 Supporting Facts: \_\_\_\_\_

11 Claim Two: \_\_\_\_\_

13 Supporting Facts: \_\_\_\_\_

17 Claim Three: \_\_\_\_\_

19 Supporting Facts: \_\_\_\_\_

23 If any of these grounds was not previously presented to any other court, state briefly which  
24 grounds were not presented and why:

27 *Continued*

28 *h n*

Exhibits  
1, 2

1341

**Claim One: Statements Purported to be Facts are Not True**

1. The “victim” was not a dependent in the “Harm-to-Dependent”  
misdemeanor incidents of March 26, 2005 and June 12, 2005

**Supporting Facts**

Source of Evidence: Letters of Conservatorship; Probate Code sec. 2310

a. My daughter, the “victim”, Eva D. Al-Zaghari, was not a dependent under Welfare and Institutions Code sec. 5150 on the date of a misdemeanor incident of March 26, 2005.

Reason: She was not conserved on March 26, 2005.

b. She was not a dependent under the above code on the date of a misdemeanor incident of June 12, 2005.

Reason: The Letters of Conservatorship which make a conservatorship order effective had not been issued yet. The ‘Letters’ were issued (filed) after the above incidents. Probate Code sec. 2310 states that the Letters should have a typed warning stating that the order appointing a conservator is not effective until Letters have issued.

1 My daughter and I have were not served with an order stating the  
2 warning. We were not served with the Letters of Conservatorship. The  
3 county, both county counsel and private defenders, kept my daughter and  
4 me in the dark about this case. Until I am allowed to read the record, now  
5 sealed, my information is limited.  
6  
7

8 Exhibit 1 (Letters of Conservatorship) and Exhibit 2 (Probate Code  
9 with warning) follow.  
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state, number, and address):  
☐ After recording return to:  
 THOMAS F. CASEY III, COUNTY COUNSEL  
 JUDITH A. HOLIBER, Deputy sbn# 180619  
 400 COUNTY CENTER, 6th Floor  
 REDWOOD CITY, CA 94063  
 TELEPHONE NO.: (650) 363-4747  
 FAX NO. (Optional): (650) 3634034  
 E-MAIL ADDRESS (Optional):  
 ATTORNEY FOR (Name): San Mateo Public Guardian  
 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO  
 STREET ADDRESS: 400 COUNTY CENTER  
 MAILING ADDRESS: HALL OF JUSTICE AND RECORDS  
 CITY AND ZIP CODE: REDWOOD CITY, CA 94063  
 BRANCH NAME:  
 CONSERVATORSHIP OF (Name): EVA AL-ZAGHARI

CONSERVATEE

FOR RECORDER'S USE ONLY

CASE NUMBER:  
108876 LPS

LETTERS OF CONSERVATORSHIP

☒ Person ☒ Estate ☐ Limited Conservatorship

1. ☒ (Name): SAN MATEO COUNTY PUBLIC GUARDIAN is the appointed  
☒ conservator ☐ limited conservator of the ☒ person ☒ estate  
 of (name): EVA AL-ZAGHARI

2. ☐ (For conservatorship that was on December 31, 1980, a guardianship of an adult  
 or of the person of a married minor) (Name):  
 was appointed the guardian of the ☐ person ☐ estate by order  
 dated (specify): and is now the conservator of  
 the ☐ person ☐ estate of (name):

3. ☒ Other powers have been granted or conditions imposed as follows:

a. ☐ Exclusive authority to give consent for and to require the conservatee to  
 receive medical treatment that the conservator in good faith based on  
 medical advice determines to be necessary even if the conservatee  
 objects, subject to the limitations stated in Probate Code section 2356.

(1) ☐ This treatment shall be performed by an accredited practitioner  
 of the religion whose tenets and practices call for reliance on  
 prayer alone for healing of which the conservatee was an adherent prior to the establishment of the  
 conservatorship.

(2) ☐ (If court order limits duration) This medical authority terminates on (date):

b. ☐ Authority to place conservatee in a care or nursing facility described in Probate Code section 2356.5(b).

c. ☐ Authority to authorize the administration of medications appropriate for the care and treatment of dementia described  
 in Probate Code section 2356.5(c).

d. ☐ Powers to be exercised independently under Probate Code section 2590 as specified in Attachment 3d (specify  
 powers, restriction, conditions, and limitations).

e. ☐ Conditions relating to the care and custody of the property under Probate Code section 2402 as specified in Attach-  
 ment 3e.

f. ☒ Conditions relating to the care, treatment, education, and welfare of the conservatee under Probate Code section  
 2358 as specified in ~~REDACTED~~ **PERMISSION TO ESTABLISH CONSERVATORSHIP**

g. ☐ (For limited conservatorship only) Powers of the limited conservator of the person under Probate Code section  
 2351.5 as specified in Attachment 3g.

h. ☐ (For limited conservatorship only) Powers of the limited conservator of the estate under Probate Code section  
 1830(b) as specified in Attachment 3h.

i. ☒ other (specify):

EXPIRATION DATE: JUN 06 2006

4. ☐ The conservator is not authorized to take possession of money or any other property without a  
 specific court order.

5. Number of pages attached: \_\_\_\_\_

WITNESS, clerk of the court, with seal of the court affixed.

Date:

JUN 13 2005

Clerk, By

Deputy

Page 1 of 2



This form may be recorded as notice of the establishment of a conservatorship of the estate as provided in Probate Code section 1875.

Form adopted for Mandatory Use  
 Judicial Council of California

LETTERS OF CONSERVATORSHIP

[LPS]

Probate Code, § 1834

NOV 15 2005 12:04

SMC COUNTY COUNSEL

650 363 4034 P.03

CONSERVATORSHIP OF (Name): EVA AL-ZAGHARI

CASE NUMBER:

CONSERVATEE

108876 LPS

## LETTERS OF CONSERVATORSHIP

## AFFIRMATION

I solemnly affirm that I will perform according to law the duties of ☒ conservator ☐ limited conservator.Executed on (date): June 13, 2005, at (place): SAN MATEO, CALIFORNIA

(SIGNATURE OF APPOINTEE)

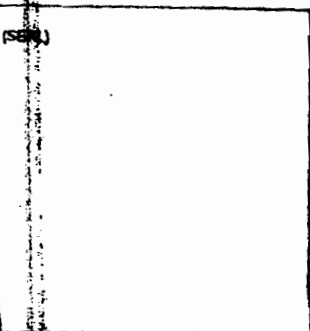
SAN MATEO COUNTY PUBLIC GUARDIAN

## CERTIFICATION

I certify that this document and any attachments is a correct copy of the original on file in my office, and that the letters issued to the person appointed above have not been revoked, annulled, or set aside, and are still in full force and effect

Date:

Clerk, by \_\_\_\_\_, Deputy



**§ 2310****PROTECTIVE PROCEEDINGS**

Div. 4

**§ 2310. Issuance; evidence of appointment; warning**

(a) The appointment, the taking of the oath, and the filing of the bond, if required, shall thereafter be evidenced by the issuance of letters by the clerk of the court.

(b) The order appointing a guardian or conservator shall state in capital letters on the first page of the order, in at least 12-point type, the following: "WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED."

(Stats.1990, c. 79 (A.B.759), § 14, operative July 1, 1991. Amended by Stats.1996, c. 862 (A.B.2751), § 7.)

**Law Revision Commission Comment****1990 Enactment**

Section 2310 continues Section 2310 of the repealed Probate Code without substantive change. See Section 52(b) (defining "letters"). For background on the provisions of this part, see the Comment to this part under the part heading. [20 Cal.L.Rev.Comm.Reports 1001 (1990)].

**OFFICIAL FORMS**

*Mandatory and optional Forms adopted and approved by the Judicial Council are set out in West's California Judicial Council Forms Pamphlet.*

**Historical and Statutory Notes**

The 1996 amendment designated the existing text as subd. (a); and added subd. (b), providing for a warning.

Former § 2310, added by Stats.1979, c. 726, § 3, relating to similar subject matter, was repealed by Stats.1990, c. 79 (A.B.759), § 13, operative July 1, 1991. See this section.

Transitional provisions, see Probate Code § 3. For text of former section, see Appendix (App. § 1 et seq.) at end of Code.

**Derivation:** Former § 1481, enacted by Stats. 1931, c. 281, p. 673, § 1481.

Former § 1801, added by Stats.1957, c. 1902, § 1, amended by Stats.1976, c. 1357, § 28.

Former § 2310, added by Stats.1979, c. 726, § 3.

C.C.P. § 1754, amended by Code Am.1880, c. 74, § 5; Stats.1921, c. 122, § 4.

Stats.1850, c. 115, § 8; Stats.1861, c. 531, § 2.

**West's California Code Forms**

See West's Cal. Code Forms, Probate § 2310—FORM 1.

See West's Cal. Code Forms, Probate § 2310—FORM 2.

**Cross References**

Additional conditions in order of appointment, inclusion in letters, see Probate Code § 2358.

Filing bond with court, see Code of Civil Procedure § 995.340.

Letters, defined, see Probate Code § 52.

Letters of temporary guardianship or conservatorship, see Probate Code §§ 2251, 2252.

Oaths, affirmation in lieu of, see Code of Civil Procedure § 2015.6.

Oaths, officers authorized to administer, see Government Code § 1225.

**Library References**

Guardian and Ward ⇨ 16.

Mental Health ⇨ 166.

Westlaw Topic Nos. 196, 257A.

C.J.S. Guardian and Ward § 34.

C.J.S. Insane Persons § 141.

**Legal Jurisprudences**

Cal Jur 3d Guard & C § 82.

**Treatises and Practice Aids**

Witkin, Summary (9th ed) Wills §§ 874, 908.

11/17/04 Flynn  
Exhibit 3

1  
2  
3 2. The "victim", my daughter, is not a felon, as her custodial county  
4 psychiatrist, Dr. Eugene Lee, M.D. testified at my trial in this case.

5 Source of Evidence: transcript of trial in this case; No law  
6  
7 enforcement reports of felonious conduct.

8  
9 3. The "victim" is not an LPS patient. There is no order-after-hearing  
10 declaring her to be LPS, because there never was a hearing.

11 Sources of Evidence: Court record, medical record, Witnesses:  
12  
13 County Counsels Peter Finck and Judith A. Holiber; Private Defenders Jeff  
14 Hayden, Anne Murphy, Robert E. Daye, County psychiatrist Dr. Mary  
15 Margaret Flynn, M.D., Deputy Public Guardians Susann Woods, Marcelle  
16 Moon, and others.

17  
18  
19 4. Eva Al-Zaghari was railroaded into a conservatorship.

20 March 27, 2003

21  
22 Beginning March 27, 2003, county social workers from Adult  
23 Protective Services saw my mother's quitclaim of her properties to me as  
24 financial abuse and caused the monitoring of and invasion into my  
25 household by law enforcement and other government employees, such as  
26 county nurses, psychiatrists, attorneys, and social workers, most of whom  
27  
28

1 were anxious to separate my mother and my daughter from me.

2 July 29, 2004

3  
4 There is a history of false alarms since July 29, 2004, so that Eva Al-  
5 Z. would be detained by unknown persons, then quickly released by the  
6 hospital staff.  
7

8 Sources of evidence: Records of the court, law enforcement,  
9 psychiatrists, doctors, Fire Department paramedics, the above county  
10 government officers, 911 Public Safety Communication  
11

12 November 17, 2004

13  
14 Around two weeks before November 17, 2004, a county psychiatrist  
15 Dr. Mary Margaret Flynn, M.D. wrote in her medical record that she was  
16 aware that Eva Al-Z. was intelligent and had been tortured by Palestinians  
17 in the Middle East in 1998.  
18

19  
20 On November 17, 2004, Dr. Flynn wrote in her medical record, "The  
21 probate conservaor [deputy Public Guardian Dr. Susann Wood, Ph.D.] of  
22 Eva's maternal grandmother who lives in home with Eva and Mrs.  
23 [Remmert] called." Dr. Flynn apparently received information that I was  
24 "suing the probate conservators". Dr. Flynn's last thoughts on the subject  
25 were as follows: "However, I cannot conserve Eva and I also don't think  
26  
27  
28

1  
2 clinically it would be helpful to take Eva away from the family  
3 necessarily..." (Exhibit 3, where I underlined certain key words, follows.)  
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P-0094

11/17/04

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11/05/04

PCC

U19

PCP

33380011

SMC ADM

11/17/2004 3:21 PM Wednesday

Psychiatry Note: Eva Al-Zaghari, Room 303-1

S: Yes, I will.

O: Patient was able to speak in a more normal tone of voice for about three sentences. Then she spoke at some length and I couldn't understand a word she said and she diminished the sound of her voice to where she was sub vocalizing, and then just moving her lips to her self. She avoided eye contact. She is internally preoccupied and appeared to be hallucinating throughout the interview. She was less anxious. She was able to provide some information in normal tone of voice e.g. her birthday. She willingly signed forms for us to send discharge summary to her internist and to Dr. Verby. She clearly said she is glad to be going home. She became more anxious and subvocalized more when I attempted to talk with her about DM and hypertension. She has no insight and grossly impaired judgment.

**Collateral contact:** The probate conservator of Eva's maternal grandmother who lives in home with Eva and Mrs. Remertz called. The grandmother is Eva's mother's mother. And Eva's mother's father (the maternal grandfather) owns the home and wants to evict Eva and Eva's mother, his daughter from the home. Eva's mother, Mrs. Remertz has been managing the wealth and properties of her father and mother. The guardianship of the grandmother wants the grandmother moved to a skilled nursing facility and is hoping to be able to protect the assets of the family, which are apparently dwindling secondary to Eva's mother's (Mrs. Remertz's) business practices and poor judgments. The maternal grandmother does have paranoid schizophrenia. In talking with Mrs. Remertz, she describes another female relative with being diagnosed with schizophrenia but "she is normal now". Talked with mother today. Mother verbally agreed to give Eva the geodon and her antihypertensive and antidiabetic medication. I strongly recommended to the mother that as Dr Verby is a pediatrician and not psychiatrist that Eva get and adult psychiatrist to follow her schizophrenia. Mother herself remain NOT convinced Eva has schizophrenia or even DM and HBP but is saying she will have her take medications. Eva's mother is more focused on getting Eva to her visitations with her son, to suing the probate conservators, suing g her father to remain in the house. However I cannot conserve Eva and I also don't think clinically it would be helpful to take Eva away from the family necessarily, particularly if her mother will follow through with the medical and psychiatric follow p I will be writing out and recommending to her, Dr Verb, The internist, the psychologist and all the other collateral contacts this stay.

A: no change in DX

P: Mrs. Remertz received instruction today on how to do the finger sticks. She also expressed concern about Eva's hirsute, and endocrine and Ob-Gyn problems.

Mary Margaret Flynn MD

11/18/04 Flynn  
Exhibit 4

November 18, 2004

On November 18, 2004, in Exhibit 4, Dr. Flynn was still unwilling to conserve Eva Al-Z. She stated in her medical record that “[Eva Al-Z] does not meet legal criteria for conservatorship under LPS law.” Exhibit 4, where I bracketed the relevant portion, follows.

11/18/04

33380031

U

U19

11/06/04

PCP

PCC

SMHC ADM

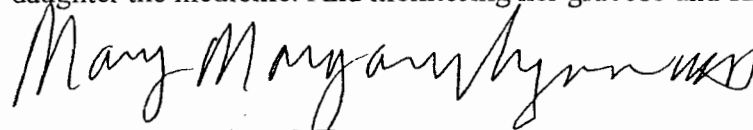
11/18/2004 4:21 PM Thursday

Psychiatry Note: **Eva Alzaahari. Room 303-1**

O: Met with patient and her mother. MSE: Patient I believe for the first time since admission is dressed in something other than hospital gown. She is alert and oriented. She avoids eye contact. Most of her brief responses are in the altered squeaky voice. She acknowledges she is looking forward to discharge tomorrow. She appears very internally preoccupied but was able to remain through the entire interview. She said she would take her medications. She knows she has diabetes. She did not know she has hypertension. She has no insight and grossly impaired judgment. She has not engaged in any further assaultive behaviors. She continues to frequently "hide" in the bathroom. Discussed with mother the glucoscan, monitoring BP, taking geodon. I called and spoke with Dr Verby. Patient has appointment Monday Nov 22, 2005 with him and the week of Dec 1 with internist See discharg summary sheet.

A: no change in Dx

P: discharge tomorrow to mother's care and with physicians as noted in chart. I am unable to conserve this patient, as she does not meet legal criteria for conservatorship under the LPS law. In addition she is more anxious in the hospital. If her mother will indeed follow through and give the patient her antipsychotic medicine as well as meds for her medical problem prognosis is better. But unfortunately mother's judgment has not been particularly good in the past, although she is verbalizing compliance with giving her daughter the medicine. And monitoring her glucose and HBP.



Mary Margaret Flynn MD

Exhibit 5

1           However, I continued to complain to authorities against Ms. Woods  
2 retaliatory removal of my mother from our home on December 6, 2004.  
3

4                               March 26, 2005

5           No Fire Department paramedics called by the county recommended  
6 emergency care under a 5150 during the period of the county's investigation  
7 for Eva Al-Z.'s conservatorship (March 26, 2005 through June 7, 2005, the  
8 date of the Probate Court trial and conservatorship order).  
9  
10

11           Nor did the paramedics of American Ambulance Response  
12 recommend emergency care under a 5150 during the period of the county's  
13 investigation for a conservatorship (March 26, 2005 through June 7, 2005,  
14 the date of the Probate Court trial and conservatorship order).  
15  
16

17           A 911 Public Safety Communication document, Exhibit 5

18  
19           Re:           Welfare Check (on Julia C. Venoya)

20           Date/Time: 03-26-05

21           Case No.:   SOS050001750

22           Location:   990 Berkeley Avenue (also Eva Al-Zaghari's address)

23           Page 6 refers to statement about Eva Al-Zaghari and lists her case  
24 number as SOS050001748. Beginning on line 518, the Communications  
25 states, "Cancel the 5150 case #...1748...Medical only Not 5150 per  
26 medics." Exhibit 5 follows.  
27  
28



COUNTY OF SAN MATEO  
911 Public Safety Communications  
Hall of Justice and Records  
400 County Center, EPS-103  
Redwood City, CA 94063

Date: May 26th, 2005

To: Shirley Remmert/ Citizen


From: Jaime D. Young, Manager, 911 Public Safety Communications

Subject: CERTIFICATION OF COPIES FROM ORIGINAL TRANSCRIPTS

**RE:** Welfare Check  
**Date/Time:** 03/26/05  
**Case No:** SOS050001750  
**Location:** 990 Berkeley Ave

As a fully employed member of the San Mateo County Communications Dispatch Staff, I certify that the enclosed CAD document was reproduced by me on May 26th, 2005 and that it is a true and accurate copy of the original.

Certified by:

  
Pauline J. Hutchens  
Custodian of Records  
(650) 363-4630

501 MISC 2BK10 ,CHECKING INSIDE 990 THE VICT - THERE'S ALSO  
 A 5150 SUBJ IN THE RESN  
 501 SUPP ,CODE 33 \*\*\*\*\*  
 501 SUPP ,CORRECTION BK21 ASKING FOR CODE33  
 504 OK 2BK21 , CODE 4 NO V, 33 YO FEMALE UNRESPONSIVE, LAYING  
 IN BED, BREATHING, SEPERATE SUBJ  
 504 (TMG ) \$CROSS #MNF050850010  
 505 \$CROSS #EMS05010331  
 505 MISC Chief complaint: UNRESP FEMALE  
 Code of response: 3  
 Anyone on scene with patient: Y  
 Age: 30 YOF  
 Conscious: N  
 Breathing: Y  
 Chest pain: UNK  
 Bleeding: UNK  
 05 (PMR ) MISC 2BK21 ,CANCELLING CODE 33  
 05 ONSCNE 2BK10  
 08 ONSCNE 2BK10 , FIRE OS  
 10 SUPP TXT: BRM PD ADVISED WE DID HOUSE CHECK ,AND DO N  
 O THAVE THE V/ // PER BRM PD COMMANDER - ADAMANT  
 THAT 997 MIGHT ALSO BE RELATED ADDR. 2S10 COPIE  
 D THE INFO , AND WILL MAKE SURE 997 ALSO GETS CH  
 ECKED  
 10 NEWLOC 2BK10 [997 BERK ]  
 13 MISC 2BK10 ,THERE IS NO SUCH ADDR AS 997 BERK  
 14 ASNCAS 2BK21 \$SOS050001748 ,\*\*\*\*\*5150 NOT RELATED TO THE WEL  
 CK ON THE 207 VICT - BUT AT SAME LOCATION.  
 16 MISC 2BK21 ,UNRESPONSIVE SUBJ WAS LOCATED IN THE RESN, WHEN  
 DOING CHECK FOR THE 207 VICT. 5150 UNRELATED TO  
 INITIAL CALL  
 18 MISC 2BK21 [ ,PARAMEDCS ON SCENE, HAVE DETERMINED THIS TO BE  
 MEDICAL ONLY, CANCEL THE 5150 CASE #  
 19 CANCAS \$SOS050001748 ,CS # CANCELLED PER BK21 REQUEST M  
 EDICAL ONLY NOT 5150 PER MEDICS  
 23 MISC 2BK10 ,BRM PD ON SCENE  
 23 ASSTOS 24BRM [997 BERK ]  
 3 (\*\*\*\*\* ) FROM  
 5 (HEM ) SUPP ,ROOM 607 AT PACIFIC INN -- THE 1065 IS THERE  
 5 (PMR ) NEWLOC 2BK10 [990]  
 5 NEWLOC 24BRM [990]  
 6 \$PREMPT 24BRM  
 6 \$ASSTOS 28BRM  
 6 EXCH 24BRM 28BRM  
 6 SUPP TXT: BRM PD ADVISED THERE IS NO SUCH ADDR AS 997  
 BERK - BK10 CHECKED  
 7 (HEM ) ASSTOS 22RCY [PACIFIC INN #RM 607]  
 7 (\*\*\*\*\* ) FROM  
 1 (PMR ) CLEAR 2S10  
 5 CLEAR 2B20  
 6 \$PREMPT 2BK21  
 8 CLEAR 2BK10  
 8 CLEAR 22RCY DSP: OTH  
 ,BRM PD TO HANDLE  
 3 CLEAR 28BRM  
 3 CLOSE 28BRM  
 3 MISC ,RDD 24439 03/26/05 16:12  
 3 MISC ,BRL 00002 03/26/05 16:12  
 3 MISC ,03/26/05 16:12:23 TO APC, C:GGCH, C:PCO0, C:PA

1346

The following exhibits are reports from the Menlo Park Fire Protection District revealing three incidents in which the county or an unknown person summoned emergency aid for my mother or my daughter and no aid was needed:

#### MENLO PARK FIRE PROTECTION DISTRICT

<u>Date</u>	<u>Incident No.</u>	<u>Person Reported as Injured Or Harmful to Self Or Harmful to Others</u>	<u>Response</u>
8-02-04	04-0004510	Julia C. Venoya	No Aid Given
3-26-05	05-0001781	Eva D. Al-Zaghari	No Aid Given
6-12-05	05-0003360	Eva D. Al-Zaghari	No Aid Given

*Exhibit 5  
continued*

<b>A</b> FDID: <u>41050</u> * State: <u>CA</u> * Incident Date: <u>08</u> <u>02</u> <u>2004</u> * Station: <u>1</u> * Incident Number: <u>04-0004510</u> * Exposure: <u>000</u> *		NFIRS -1 Basic	
<input type="checkbox"/> Check this box to indicate that the address for this incident is provided on the Wildland Fire Module in Section B "Alternative Location Specification". Use only for Wildland fires.			
<b>B Location*</b>			
<input checked="" type="checkbox"/> Street address <u>990</u> <u>BERKELEY</u> <u>AV</u> Number/Milepost Prefix Street or Highway Street Type Suffix			
<input type="checkbox"/> Intersection <input type="checkbox"/> In front of <input type="checkbox"/> Rear of <input type="checkbox"/> Adjacent to <input type="checkbox"/> Directions			
<u>Menlo Park</u> <u>CA</u> <u>94025</u> Apt./Suite/Room City State Zip Code			
Cross street or directions, as applicable			
<b>C Incident Type *</b> <u>710</u> <u>Malicious, mischievous false</u> Incident Type		<b>E1 Date &amp; Times</b> Midnight is 0000 Check boxes if dates are the same as Alarm ALARM always required Date: Alarm * <u>08</u> <u>02</u> <u>2004</u> <u>14:16:55</u> ARRIVAL required, unless canceled or did not arrive <input type="checkbox"/> Arrival * <u>08</u> <u>02</u> <u>2004</u> <u>14:21:11</u> CONTROLLED Optional, Except for wildland fires <input type="checkbox"/> Controlled LAST UNIT CLEARED, required except for wildland fires <input type="checkbox"/> Last Unit <input type="checkbox"/> Cleared <u>08</u> <u>02</u> <u>2004</u> <u>14:33:04</u>	
<b>D Aid Given or Received*</b> 1 <input type="checkbox"/> Mutual aid received 2 <input type="checkbox"/> Automatic aid recvd. 3 <input type="checkbox"/> Mutual aid given 4 <input type="checkbox"/> Automatic aid given 5 <input type="checkbox"/> Other aid given N <input checked="" type="checkbox"/> None		<b>E2 Shift &amp; Alarms</b> Local Option <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Shift or Alarms District Platoon	
<b>E3 Special Studies</b> Local Option <input type="checkbox"/> <input type="checkbox"/> Special Study ID# Special Study Value			
<b>F Actions Taken *</b> <u>80</u> <u>Information,</u> Primary Action Taken (1) Additional Action Taken (2) Additional Action Taken (3)		<b>G1 Resources *</b> <input checked="" type="checkbox"/> Check this box and skip this section if an Apparatus or Personnel form is used. Apparatus Personnel Suppression EMS Other <u>0001</u> <u>0003</u> <input type="checkbox"/> Check box if resource counts include aid received resources.	
<b>G2 Estimated Dollar Losses &amp; Values</b> LOSSES: Required for all fires if known. Optional for non fires. None Property \$ <u>000</u> <u>000</u> <u>000</u> Contents \$ <u>000</u> <u>000</u> <u>000</u> PRE-INCIDENT VALUE: Optional Property \$ <u>000</u> <u>000</u> <u>000</u> Contents \$ <u>000</u> <u>000</u> <u>000</u>			
<b>Completed Modules</b> <input type="checkbox"/> Fire-2 <input type="checkbox"/> Structure-3 <input type="checkbox"/> Civil Fire Cas.-4 <input type="checkbox"/> Fire Serv. Cas.-5 <input type="checkbox"/> EMS-6 <input type="checkbox"/> HazMat-7 <input type="checkbox"/> Wildland Fire-8 <input type="checkbox"/> Apparatus-9 <input type="checkbox"/> Personnel-10 <input type="checkbox"/> Arson-11		<b>H1* Casualties</b> <input type="checkbox"/> None Deaths Injuries Fire Service Civilian <b>H2 Detector</b> Required for Confined Fires. 1 <input type="checkbox"/> Detector alerted occupants 2 <input type="checkbox"/> Detector did not alert them U <input type="checkbox"/> Unknown	
<b>H3 Hazardous Materials Release</b> N <input type="checkbox"/> None 1 <input type="checkbox"/> Natural Gas: slow leak, no evacuation or HazMat actions 2 <input type="checkbox"/> Propane gas: <21 lb. tank (as in home BBQ grill) 3 <input type="checkbox"/> Gasoline: vehicle fuel tank or portable container 4 <input type="checkbox"/> Kerosene: fuel burning equipment or portable storage 5 <input type="checkbox"/> Diesel fuel/fuel oil: vehicle fuel tank or portable 6 <input type="checkbox"/> Household solvents: home/office spill, cleanup only 7 <input type="checkbox"/> Motor oil: from engine or portable container 8 <input type="checkbox"/> Paint: from paint cans totaling < 55 gallons 0 <input type="checkbox"/> Other: Special HazMat actions required or spill > 55gal., Please complete the HazMat form		<b>I Mixed Use Property</b> NN <input checked="" type="checkbox"/> Not Mixed 10 <input type="checkbox"/> Assembly use 20 <input type="checkbox"/> Education use 33 <input type="checkbox"/> Medical use 40 <input type="checkbox"/> Residential use 51 <input type="checkbox"/> Row of stores 53 <input type="checkbox"/> Enclosed mall 58 <input type="checkbox"/> Bus. & Residential 59 <input type="checkbox"/> Office use 60 <input type="checkbox"/> Industrial use 63 <input type="checkbox"/> Military use 65 <input type="checkbox"/> Farm use 00 <input type="checkbox"/> Other mixed use	
<b>J Property Use*</b> Structures 131 <input type="checkbox"/> Church, place of worship 161 <input type="checkbox"/> Restaurant or cafeteria 162 <input type="checkbox"/> Bar/Tavern or nightclub 113 <input type="checkbox"/> Elementary school or kindergarten 115 <input type="checkbox"/> High school or junior high 41 <input type="checkbox"/> College, adult education 11 <input type="checkbox"/> Care facility for the aged 31 <input type="checkbox"/> Hospital Outside 24 <input type="checkbox"/> Playground or park 55 <input type="checkbox"/> Crops or orchard 69 <input type="checkbox"/> Forest (timberland) 07 <input type="checkbox"/> Outdoor storage area 19 <input type="checkbox"/> Dump or sanitary landfill 31 <input type="checkbox"/> Open land or field		341 <input type="checkbox"/> Clinic, clinic type infirmary 342 <input type="checkbox"/> Doctor/dentist office 361 <input type="checkbox"/> Prison or jail, not juvenile 419 <input checked="" type="checkbox"/> 1-or 2-family dwelling 429 <input type="checkbox"/> Multi-family dwelling 439 <input type="checkbox"/> Rooming/boarding house 449 <input type="checkbox"/> Commercial hotel or motel 459 <input type="checkbox"/> Residential, board and care 464 <input type="checkbox"/> Dormitory/barracks 519 <input type="checkbox"/> Food and beverage sales 936 <input type="checkbox"/> Vacant lot 938 <input type="checkbox"/> Graded/care for plot of land 946 <input type="checkbox"/> Lake, river, stream 951 <input type="checkbox"/> Railroad right of way 960 <input type="checkbox"/> Other street 961 <input type="checkbox"/> Highway/divided highway 962 <input type="checkbox"/> Residential street/driveway	
539 <input type="checkbox"/> Household goods, sales, repairs 579 <input type="checkbox"/> Motor vehicle/boat sales/repair 571 <input type="checkbox"/> Gas or service station 599 <input type="checkbox"/> Business office 615 <input type="checkbox"/> Electric generating plant 629 <input type="checkbox"/> Laboratory/science lab 700 <input type="checkbox"/> Manufacturing plant 819 <input type="checkbox"/> Livestock/poultry storage (barn) 882 <input type="checkbox"/> Non-residential parking garage 891 <input type="checkbox"/> Warehouse 981 <input type="checkbox"/> Construction site 984 <input type="checkbox"/> Industrial plant yard		Lookup and enter a Property Use code only if you have NOT checked a Property Use box: Property Use <u>419</u> <u>1 or 2 family dwelling</u> NFIRS-1 Revision 03/11/99	

**K1 Person/Entity Involved**

Local Option

Business name (if applicable)

Area Code

Phone Number

☐ Check This Box if same address as incident location. Then skip the three duplicate address lines.

Mr., Ms., Mrs. First Name

MI

Last Name

Suffix

Number

Prefix

Street or Highway

Street Type

Suffix

Post Office Box

Apt./Suite/Room

City

State Zip Code

☐ More people involved? Check this box and attach Supplemental Forms (NFIRS-1S) as necessary

**K2 Owner**

☐ Same as person involved? Then check this box and skip The rest of this section.

Local Option

Business name (if Applicable)

Area Code

Phone Number

☐ Check this box if same address as incident location. Then skip the three duplicate address lines.

Mr., Ms., Mrs. First Name

MI

Last Name

Suffix

Number

Prefix

Street or Highway

Street Type

Suffix

Post Office Box

Apt./Suite/Room

City

State Zip Code

**L Remarks**

Local Option

Engine One responded on a reported medical aid. On arrival Engine One found an Elderly woman who was waking up from a nap being cared for a caregiver. There was no medical merit and was called in by a third party who had not seen the woman in question the day of the incident. San County Sheriff was contacted.

**Authorization**

M084

Officer in charge ID

Wurdinger, John J

Signature

E03

Position or rank

Assignment

08

Month

03

Day

2004

Year

check  
OK if  
same  
s Officer  
in charge.

☒ M084

Member making report ID

Wurdinger, John J

Signature

E03

Position or rank

Assignment

08

Month

03

Day

2004

Year

41050  
FDID \*CA  
State \*8  
Incident2  
Date \*

2004

1  
Station04-000451  
Incident Number \*000  
Exposure \*Complete  
Narrative**Narrative:**

Engine One responded on a reported medical aid. On arrival Engine One found an Elderly woman who was waking up from a nap being cared for a caregiver. There was no medical merit and was called in by a third party who had not seen the woman in question the day of the incident. San County Sheriff was contacted.

41050

CA

8

2

2004

1

04-0004510

000

FDID

\*

State

\*

Incident Date

\*

Station

Incident Number

\*

Exposure

\*

Complete  
Narrative**Narrative:**

Engine One responded on a reported medical aid. On arrival Engine One found an Elderly woman who was waking up from a nap being cared for a caregiver. There was no medical merit and was called in by a third party who had not seen the woman in question the day of the incident. San County Sheriff was contacted.

*Exhibit 5 continued*

<b>A</b> FDID <u>41050</u> State <u>CA</u> Incident Date <u>03/2005</u> Station <u>5</u> Incident Number <u>05-000178</u> Exposure <u>000</u>		<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity		NFIRS -1 Basic	
<b>B Location*</b> <input type="checkbox"/> Check this box to indicate that the address for this incident is provided on the Wildland Fire Module in Section 2 "Alternative Location Specification". Use only for Wildland fires.					
<input checked="" type="checkbox"/> Street address <u>990</u> <u>BERKELEY</u> <u>AV</u> Number/Milepost Prefix Street or Highway Street Type Suffix <input type="checkbox"/> Intersection <input type="checkbox"/> In front of <input type="checkbox"/> Rear of <input type="checkbox"/> Adjacent to <input type="checkbox"/> Directions <u>Menlo Park</u> <u>CA</u> <u>94025</u> Apt./Suite/Room City State Zip Code Cross street or directions, as applicable					
<b>C Incident Type *</b> <u>321</u> EMS call, excluding vehicle Incident Type		<b>E1 Date &amp; Times</b> Midnight is 0000 Check boxes if dates are the same as Alarm Date. ALARM always required Alarm * <u>03</u> <u>26</u> <u>2005</u> <u>15:05:05</u> ARRIVAL required, unless canceled or did not arrive Arrival * <u>03</u> <u>26</u> <u>2005</u> <u>15:08:13</u> CONTROLLED, Optional, Except for wildland fires Controlled <input type="checkbox"/> LAST UNIT CLEARED, required except for wildland fires Last Unit <input type="checkbox"/> Cleared <u>03</u> <u>26</u> <u>2005</u> <u>15:21:32</u>		<b>E2 Shift &amp; Alarms</b> Local Option <u>B</u> <u>1</u> Shift or Alarms District Platoon	
<b>D Aid Given or Received*</b> 1 <input type="checkbox"/> Mutual aid received 2 <input type="checkbox"/> Automatic aid recvd. 3 <input type="checkbox"/> Mutual aid given 4 <input type="checkbox"/> Automatic aid given 5 <input type="checkbox"/> Other aid given N <input checked="" type="checkbox"/> None Their FDID Their State Their Incident Number		<b>E3 Special Studies</b> Local Option Special Study ID# Special Study Value			
<b>F Actions Taken *</b> <u>33</u> Provide advanced life Primary Action Taken (1) Additional Action Taken (2) Additional Action Taken (3)		<b>G1 Resources *</b> <input checked="" type="checkbox"/> Check this box and skip this section if an Apparatus or Personnel form is used. Apparatus Personnel Suppression <input type="checkbox"/> EMS <u>0001</u> <u>0003</u> Other <input type="checkbox"/> <input type="checkbox"/> Check box if resource counts include aid received resources.		<b>G2 Estimated Dollar Losses &amp; Values</b> LOSSES: Required for all fires if known. Optional for non fires. None Property \$ <u>000</u> <u>000</u> <input type="checkbox"/> Contents \$ <u>000</u> <u>000</u> <input type="checkbox"/> PRE-INCIDENT VALUE: Optional Property \$ <u>000</u> <u>000</u> <input type="checkbox"/> Contents \$ <u>000</u> <u>000</u> <input type="checkbox"/>	
<b>Completed Modules</b> <input type="checkbox"/> Fire-2 <input type="checkbox"/> Structure-3 <input type="checkbox"/> Civil Fire Cas.-4 <input type="checkbox"/> Fire Serv. Cas.-5 <input type="checkbox"/> EMS-6 <input type="checkbox"/> HazMat-7 <input type="checkbox"/> Wildland Fire-8 <input type="checkbox"/> Apparatus-9 <input type="checkbox"/> Personnel-10 <input type="checkbox"/> Arson-11		<b>H1* Casualties</b> None Deaths Injuries Fire Service <input type="checkbox"/> Civilian <input type="checkbox"/> <b>H2 Detector</b> Required for Confined Fires. 1 <input type="checkbox"/> Detector alerted occupants 2 <input type="checkbox"/> Detector did not alert them U <input type="checkbox"/> Unknown		<b>H3 Hazardous Materials Release</b> N <input type="checkbox"/> None 1 <input type="checkbox"/> Natural Gas: slow leak, no evacuation or HazMat actions 2 <input type="checkbox"/> Propane gas: <21 lb. tank (as in home BBQ grill) 3 <input type="checkbox"/> Gasoline: vehicle fuel tank or portable container 4 <input type="checkbox"/> Kerosene: fuel burning equipment or portable storage 5 <input type="checkbox"/> Diesel fuel/fuel oil: vehicle fuel tank or portable 6 <input type="checkbox"/> Household solvents: home/office spill, cleanup only 7 <input type="checkbox"/> Motor oil: from engine or portable container 8 <input type="checkbox"/> Paint: from paint cans totaling < 55 gallons 0 <input type="checkbox"/> Other: Special HazMat actions required or spill > 55gal. Please complete the HazMat form	
<b>J Property Use*</b> Structures 131 <input type="checkbox"/> Church, place of worship 161 <input type="checkbox"/> Restaurant or cafeteria 162 <input type="checkbox"/> Bar/Tavern or nightclub 213 <input type="checkbox"/> Elementary school or kindergarten 215 <input type="checkbox"/> High school or junior high 241 <input type="checkbox"/> College, adult education 311 <input type="checkbox"/> Care facility for the aged 331 <input type="checkbox"/> Hospital Outside 24 <input type="checkbox"/> Playground or park 55 <input type="checkbox"/> Crops or orchard 69 <input type="checkbox"/> Forest (timberland) 107 <input type="checkbox"/> Outdoor storage area 119 <input type="checkbox"/> Dump or sanitary landfill 31 <input type="checkbox"/> Open land or field		341 <input type="checkbox"/> Clinic, clinic type infirmary 342 <input type="checkbox"/> Doctor/dentist office 361 <input type="checkbox"/> Prison or jail, not juvenile 419 <input checked="" type="checkbox"/> 1-or 2-family dwelling 429 <input type="checkbox"/> Multi-family dwelling 439 <input type="checkbox"/> Rooming/boarding house 449 <input type="checkbox"/> Commercial hotel or motel 459 <input type="checkbox"/> Residential, board and care 464 <input type="checkbox"/> Dormitory/barracks 519 <input type="checkbox"/> Food and beverage sales 936 <input type="checkbox"/> Vacant lot 938 <input type="checkbox"/> Graded/care for plot of land 946 <input type="checkbox"/> Lake, river, stream 951 <input type="checkbox"/> Railroad right of way 960 <input type="checkbox"/> Other street 961 <input type="checkbox"/> Highway/divided highway 962 <input type="checkbox"/> Residential street/driveway 539 <input type="checkbox"/> Household goods, sales, repairs 579 <input type="checkbox"/> Motor vehicle/boat sales/repair 571 <input type="checkbox"/> Gas or service station 599 <input type="checkbox"/> Business office 615 <input type="checkbox"/> Electric generating plant 629 <input type="checkbox"/> Laboratory/science lab 700 <input type="checkbox"/> Manufacturing plant 819 <input type="checkbox"/> Livestock/poultry storage (barn) 882 <input type="checkbox"/> Non-residential parking garage 891 <input type="checkbox"/> Warehouse 981 <input type="checkbox"/> Construction site 984 <input type="checkbox"/> Industrial plant yard Lookup and enter a Property Use code only if you have NOT checked a Property Use box: Property Use <u>419</u> <u>1 or 2 family dwelling</u> NFIRS-1 Revision 03/11/99			

**K1 Person/Entity Involved**

Local Option ☐ Business name (if applicable)  Area Code  Phone Number

☐ Check This Box if same address as incident location. Then skip the three duplicate address lines.

Mr., Ms., Mrs. First Name  MI  Last Name  Suffix

Number  Prefix  Street or Highway  Street Type  Suffix

Post Office Box  Apt./Suite/Room  City

State  Zip Code

☐ More people involved? Check this box and attach Supplemental Forms (NFIRS-1S) as necessary

**K2 Owner** ☐ Same as person involved? Then check this box and skip The rest of this section.

Local Option ☐ Business name (if Applicable)  Area Code  Phone Number

☐ Check this box if same address as incident location. Then skip the three duplicate address lines.

Mr., Ms., Mrs. First Name  MI  Last Name  Suffix

Number  Prefix  Street or Highway  Street Type  Suffix

Post Office Box  Apt./Suite/Room  City

State  Zip Code

**L Remarks**

Local Option

Incident received as a ALOC.

See PCR for details.

**Authorization**

<input type="text" value="MO44"/>	<input type="text" value="Smith, Thomas E"/>	<input type="text" value="CM3"/>	<input type="text" value="03"/>	<input type="text" value="26"/>	<input type="text" value="2005"/>
Officer in charge ID	Signature	Position or rank	Assignment	Month	Day Year

check <input checked="" type="checkbox"/> if ne	<input type="text" value="MO44"/>	<input type="text" value="Smith, Thomas E"/>	<input type="text" value="CM3"/>	<input type="text" value="03"/>	<input type="text" value="26"/>	<input type="text" value="2005"/>
Officer Member making report ID charge.		Signature	Position or rank	Assignment	Month	Day Year

41050	CA	3	26	2005	5	05-0001781	000	Complete Narrative
FDID *	State *	Incident Date *		Station	Incident Number *	Exposure *		

**Narrative:**

Incident received as a ALOC.

See PCR for details.

41050	CA	3	26	2005	5	05-0001781	000	Complete Narrative
FDID *	State *	Incident Date			Station	Incident Number *	Exposure *	

**Narrative:**

Incident received as a ALOC.

See PCR for details.

# SAN MATEO PREHOSPITAL CARE REPORT Major Trauma ☐

410217

DISPATCH	MO/DA/YR 3-26-05	LOC. ZONE 1	UNIT ID E-5	PRIORITY <input checked="" type="checkbox"/> 3 CHANGED TO <input type="checkbox"/> 1 <input type="checkbox"/> 3	A# or CASE# 1781	DISPATCH 1505	10-97 1508	10-49 —	10-7 1521																															
	INCIDENT LOCATION 990 BENVILLE AVE			CITY MP	RESPONDING FROM ST 1	PT# OF 1-1	10-22 —	START —	END —																															
PATIENT I.D.	PATIENT NAME (LAST) (FIRST) (M.I.) Unknown / EVA		DOB —	PATIENT'S HOME TELEPHONE ( ) ( ) ( )																																				
	RESIDENCE ADDRESS —			CITY —	STATE —	ZIP —																																		
	RESPONSIBLE PARTY —		RESPONSIBLE PARTY TELEPHONE ( ) ( ) ( )	INSURANCE (Y - N)	I.D. NUMBER / SS# —																																			
HISTORY AND CONDITION	AGE: 30		SEX: <input type="checkbox"/> M <input checked="" type="checkbox"/> F	WT: 100	KG	P.M.D./HOSPITAL	ETA:	MIN.	TRIAGE TAG #:																															
	BEFORE ARRIVAL <input type="checkbox"/> 1ST. RESPONDER <input type="checkbox"/> CITIZEN <input type="checkbox"/> OTHER <input type="checkbox"/> 02 <input type="checkbox"/> 1ST. AID <input type="checkbox"/> OTHER:						<input type="checkbox"/> CPR #MIN. DOWN: <input type="checkbox"/> AED																																	
	GENERAL ASSESSMENT CODE:		TIME OF ONSET: unknown		PAST MED. HX: <input type="checkbox"/> Asthma																																			
	CHIEF COMPLAINT: None per Pt				<input type="checkbox"/> CARDIAC / <input type="checkbox"/> CANCER /																																			
	HISTORY PRESENT ILLNESS				<input type="checkbox"/> CVA: <input type="checkbox"/> L <input type="checkbox"/> R SIDE <input type="checkbox"/> HTN <input type="checkbox"/> ASTHMA/EMPHYSEMA <input type="checkbox"/> SUBSTANCE ABUSE																																			
					<input type="checkbox"/> SEIZURE <input type="checkbox"/> DIABETES <input type="checkbox"/> ETOH ON BREATH <input type="checkbox"/> PSYCH.																																			
					MEDS: Pt uncooperative c questions																																			
					ALLERGIES: denied																																			
					MVA <input checked="" type="checkbox"/> SPEED: <input checked="" type="checkbox"/> MPH <input checked="" type="checkbox"/> EXTR <input checked="" type="checkbox"/> MIN <input type="checkbox"/> EJECTED <input type="checkbox"/> AMBULAT.																																			
					<table border="1"> <tr> <td>IN</td> <td>VS</td> <td>POSITION</td> <td>VEHICLE DAMAGE</td> </tr> <tr> <td></td> <td></td> <td>CAR / PICKUP</td> <td><input type="checkbox"/> NONE <input type="checkbox"/> MOD.</td> </tr> <tr> <td></td> <td></td> <td>TRK / BUS</td> <td><input type="checkbox"/> MINOR <input type="checkbox"/> MAJOR</td> </tr> <tr> <td></td> <td></td> <td>BICYCLE</td> <td><input type="checkbox"/> ROLLOVER</td> </tr> <tr> <td></td> <td></td> <td>PEDESTRIAN</td> <td></td> </tr> <tr> <td></td> <td></td> <td>MOTORCYCLE</td> <td></td> </tr> <tr> <td></td> <td></td> <td>TRAIN</td> <td></td> </tr> <tr> <td></td> <td></td> <td>OTHER</td> <td></td> </tr> </table>					IN	VS	POSITION	VEHICLE DAMAGE			CAR / PICKUP	<input type="checkbox"/> NONE <input type="checkbox"/> MOD.			TRK / BUS	<input type="checkbox"/> MINOR <input type="checkbox"/> MAJOR			BICYCLE	<input type="checkbox"/> ROLLOVER			PEDESTRIAN				MOTORCYCLE				TRAIN				OTHER
IN	VS	POSITION	VEHICLE DAMAGE																																					
		CAR / PICKUP	<input type="checkbox"/> NONE <input type="checkbox"/> MOD.																																					
		TRK / BUS	<input type="checkbox"/> MINOR <input type="checkbox"/> MAJOR																																					
		BICYCLE	<input type="checkbox"/> ROLLOVER																																					
		PEDESTRIAN																																						
		MOTORCYCLE																																						
		TRAIN																																						
		OTHER																																						
COMMENTS:		<p>Arrived to find pt ~ 30 yr old &amp; A+Ox2 and uncooperative c questions. Pt wouldn't answer questions Re Hx, meds, complaints, name etc. All vitals w/c. Pt appeared lethargic and irritable.</p> <p>BS 236 SpO2 98% RA</p>																																						
PRIMARY AND SECONDARY SURVEY	AIRWAY <input checked="" type="checkbox"/> CLEAR		BREATHING <input checked="" type="checkbox"/> NONLABORED		CIRCULATION <input checked="" type="checkbox"/> CAPILLARY REFILL		SKIN COLOR <input checked="" type="checkbox"/> NORMAL		SKIN TEMPERATURE <input checked="" type="checkbox"/> WARM		SKIN MOISTURE <input checked="" type="checkbox"/> DRY		PUPILS <input type="checkbox"/> PERL																											
	<input type="checkbox"/> QUIET		<input type="checkbox"/> LABORED		<input type="checkbox"/> REFILL		<input type="checkbox"/> CYANOTIC		<input type="checkbox"/> COOL		<input type="checkbox"/> MOIST		<input type="checkbox"/> SIZE																											
	<input type="checkbox"/> NOISY		<input type="checkbox"/> SHALLOW		<input checked="" type="checkbox"/> NORMAL		<input type="checkbox"/> PALE/ASHEN		<input type="checkbox"/> HOT		<input type="checkbox"/> PROFUSE		<input type="checkbox"/> REACT TO LIGHT:																											
	<input type="checkbox"/> OBSTRUCTED		<input type="checkbox"/> IRREGULAR		<input type="checkbox"/> DELAYED		<input type="checkbox"/> FLUSHED		<input type="checkbox"/> COLD				<input type="checkbox"/> L <input type="checkbox"/> R																											
			<input type="checkbox"/> DEEP		<input type="checkbox"/> ABSENT		<input type="checkbox"/> JAUNDICED						<input type="checkbox"/> DILATED <input type="checkbox"/> REACTIVE																											
			<input type="checkbox"/> RAPID										<input type="checkbox"/> MIDRANGE <input type="checkbox"/> SLUGGISH																											
			<input type="checkbox"/> ABSENT										<input type="checkbox"/> CONSTRICT <input type="checkbox"/> NON-REACT																											
TIME		EYES OPEN		VERBAL RESPONSE		MOTOR RESPONSE		WNL		ABN																														
SPON VOICE PAIN N/R		ORIENT DISOR INAP INCOM N/R		TO VERB LOCAL PAIN WID FLEX EXT. N/R																																				
1508		4 3 2 1		5 4 3 2 1		8 5 4 3 2 1		<input checked="" type="checkbox"/> HEAD		<input type="checkbox"/>		unresponsive																												
		4 3 2 1		5 4 3 2 1		8 5 4 3 2 1		<input checked="" type="checkbox"/> NECK		<input type="checkbox"/>																														
1521		4 3 2 1		5 4 3 2 1		8 5 4 3 2 1		<input checked="" type="checkbox"/> CHEST		<input type="checkbox"/>																														
								<input checked="" type="checkbox"/> LUNGS		<input type="checkbox"/>																														
								<input checked="" type="checkbox"/> ABD		<input type="checkbox"/>																														
								<input checked="" type="checkbox"/> BACK		<input type="checkbox"/>																														
								<input checked="" type="checkbox"/> PELVIS		<input type="checkbox"/>																														
								<input checked="" type="checkbox"/> EXTREMITIES:		<input type="checkbox"/>																														
								<input checked="" type="checkbox"/> ARMS		<input type="checkbox"/>																														
								<input checked="" type="checkbox"/> LEGS		<input type="checkbox"/>																														
INITIAL GCS: EYE: 2 + VERBAL: 4 + MOTOR: 6 = 12																																								
TIME		BLOOD PRESSURE		PULSE		RESP		POSITION		BY:																														
1510		144/88		82		14		—		E-5																														
1512																																								
INITIAL EKG: SINOBRADY																																								
EKG AT 10-7: NO CHANGE																																								
AIRWAY <input type="checkbox"/> OPA <input type="checkbox"/> NPA <input type="checkbox"/> SUCTION <input checked="" type="checkbox"/> 02		TIME 1510		BLS <input checked="" type="checkbox"/> ASSESSMENT: 1509		TIME		TIME		TIME		TIME																												
<input type="checkbox"/> ETT <input type="checkbox"/> PD <input type="checkbox"/> EOA <input type="checkbox"/> CRIC				<input checked="" type="checkbox"/> CANNULA <input type="checkbox"/> BVM				<input type="checkbox"/> IRRIGATION:		<input type="checkbox"/> COLD PACKS:																														
TIME # ATT SIZE SUCCESS EMT-P #				<input type="checkbox"/> MASK <input type="checkbox"/> DEMAND VALVE				<input type="checkbox"/> SPLINT:		<input type="checkbox"/> RESTRAINTS:																														
				4 L/MIN.				<input type="checkbox"/> TRACTION SPLINT:																																
SPINAL CARE TIME		ALS <input type="checkbox"/> MAST APPLIED		TIME:		TIME:		BLOOD		IV SOLUTION		SITE # ATT RATE GAUGE ESTABLISH CERT#																												
<input type="checkbox"/> BACKBOARD <input type="checkbox"/> KED		<input type="checkbox"/> LEGS INFLATED						1515		Y N NTS (RAE)		1 SL 200 N 18256																												
<input type="checkbox"/> SCOOP / FLAT <input type="checkbox"/> COLLAR		<input type="checkbox"/> ABD INFLATED						Y N																																
<input type="checkbox"/> IMMOBILIZE HEAD / TAPE																																								



*Exhibit 5 continued*

<b>A</b> FDID <u>41050</u> State <u>CA</u> Incident Date <u>06/12/2005</u> Station <u>2</u> Incident Number <u>05-000336</u> Exposure <u>000</u>		NFIRS -1 Basic	
Check this box to indicate that the address for this incident is provided on the Wildland Fire Module in section 5 "Alternative Location Specification". Use only for Wildland fires. <input type="checkbox"/>			
<b>B Location*</b>			
<input checked="" type="checkbox"/> Street address <u>990</u> <u>BERKELEY</u> <u>AV</u> Number/Milepost Prefix Street or Highway Street Type Suffix			
<input type="checkbox"/> Intersection <input type="checkbox"/> In front of <input type="checkbox"/> Rear of <input type="checkbox"/> Adjacent to <input type="checkbox"/> Directions			
<u>Menlo Park</u> <u>CA</u> <u>94025</u> Apt./Suite/Room City State Zip Code			
Cross street or directions, as applicable			
<b>C Incident Type *</b> <u>321</u> EMS call, excluding vehicle Incident Type		<b>E1 Date &amp; Times</b> Midnight is 0000 Check boxes if dates are the same as Alarm ALARM always required Date Alarm <u>06/12/2005</u> <u>15:05:30</u> ARRIVAL required, unless canceled or did not arrive <input type="checkbox"/> Arrival <u>06/12/2005</u> <u>15:11:40</u> CONTROLLED Optional, Except for wildland fires <input type="checkbox"/> Controlled LAST UNIT CLEARED, required except for wildland fires <input type="checkbox"/> Last Unit <u>06/12/2005</u> <u>15:25:17</u> <input type="checkbox"/> Cleared	
<b>D Aid Given or Received*</b> 1 <input type="checkbox"/> Mutual aid received 2 <input type="checkbox"/> Automatic aid recv. 3 <input type="checkbox"/> Mutual aid given 4 <input type="checkbox"/> Automatic aid given 5 <input type="checkbox"/> Other aid given N <input checked="" type="checkbox"/> None Their FDID Their State Their Incident Number		<b>E2 Shift &amp; Alarms</b> Local Option <input type="checkbox"/> Shift or Alarms District <b>E3 Special Studies</b> Local Option Special Study ID# Special Study Value	
<b>F Actions Taken *</b> <u>32</u> Provide basic life Primary Action Taken (1) Additional Action Taken (2) Additional Action Taken (3)		<b>G1 Resources *</b> <input checked="" type="checkbox"/> Check this box and skip this section if an Apparatus or Personnel form is used. Apparatus Personnel Suppression EMS <u>0001</u> <u>0003</u> Other <input type="checkbox"/> Check box if resource counts include aid received resources.	
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<b>Completed Modules</b> <input type="checkbox"/> Fire-2 <input type="checkbox"/> Structure-3 <input type="checkbox"/> Civil Fire Cas.-4 <input type="checkbox"/> Fire Serv. Cas.-5 <input type="checkbox"/> EMS-6 <input type="checkbox"/> HazMat-7 <input type="checkbox"/> Wildland Fire-8 <input type="checkbox"/> Apparatus-9 <input type="checkbox"/> Personnel-10 <input type="checkbox"/> Arson-11		<b>H1* Casualties</b> None Deaths Injuries Fire Service Civilian <b>H2 Detector</b> Required for Confined Fires. 1 <input type="checkbox"/> Detector alerted occupants 2 <input type="checkbox"/> Detector did not alert them U <input type="checkbox"/> Unknown	
<b>H3 Hazardous Materials Release</b> N <input type="checkbox"/> None 1 <input type="checkbox"/> Natural Gas: slow leak, no evacuation or HazMat actions 2 <input type="checkbox"/> Propane gas: <21 lb. tank (as in home BBQ grill) 3 <input type="checkbox"/> Gasoline: vehicle fuel tank or portable container 4 <input type="checkbox"/> Kerosene: fuel burning equipment or portable storage 5 <input type="checkbox"/> Diesel fuel/fuel oil: vehicle fuel tank or portable 6 <input type="checkbox"/> Household solvents: home/office spill, cleanup only 7 <input type="checkbox"/> Motor oil: from engine or portable container 8 <input type="checkbox"/> Paint: from paint cans totaling < 55 gallons 0 <input type="checkbox"/> Other: Special HazMat actions required or spill > 55gal.. Please complete the HazMat form		<b>I Mixed Use Property</b> NN <input checked="" type="checkbox"/> Not Mixed 10 <input type="checkbox"/> Assembly use 20 <input type="checkbox"/> Education use 33 <input type="checkbox"/> Medical use 40 <input type="checkbox"/> Residential use 51 <input type="checkbox"/> Row of stores 53 <input type="checkbox"/> Enclosed mall 58 <input type="checkbox"/> Bus. & Residential 59 <input type="checkbox"/> Office use 60 <input type="checkbox"/> Industrial use 63 <input type="checkbox"/> Military use 65 <input type="checkbox"/> Farm use 00 <input type="checkbox"/> Other mixed use	
<b>J Property Use* Structures</b> 131 <input type="checkbox"/> Church, place of worship 161 <input type="checkbox"/> Restaurant or cafeteria 62 <input type="checkbox"/> Bar/Tavern or nightclub 13 <input type="checkbox"/> Elementary school or kindergarten 15 <input type="checkbox"/> High school or junior high 41 <input type="checkbox"/> College, adult education 11 <input type="checkbox"/> Care facility for the aged 31 <input type="checkbox"/> Hospital Outside 24 <input type="checkbox"/> Playground or park 55 <input type="checkbox"/> Crops or orchard 69 <input type="checkbox"/> Forest (timberland) 07 <input type="checkbox"/> Outdoor storage area 19 <input type="checkbox"/> Dump or sanitary landfill 31 <input type="checkbox"/> Open land or field		341 <input type="checkbox"/> Clinic, clinic type infirmary 342 <input type="checkbox"/> Doctor/dentist office 361 <input type="checkbox"/> Prison or jail, not juvenile 419 <input checked="" type="checkbox"/> 1-or 2-family dwelling 429 <input type="checkbox"/> Multi-family dwelling 439 <input type="checkbox"/> Rooming/boarding house 449 <input type="checkbox"/> Commercial hotel or motel 459 <input type="checkbox"/> Residential, board and care 464 <input type="checkbox"/> Dormitory/barracks 519 <input type="checkbox"/> Food and beverage sales 936 <input type="checkbox"/> Vacant lot 938 <input type="checkbox"/> Graded/care for plot of land 946 <input type="checkbox"/> Lake, river, stream 951 <input type="checkbox"/> Railroad right of way 960 <input type="checkbox"/> Other street 961 <input type="checkbox"/> Highway/divided highway 962 <input type="checkbox"/> Residential street/driveway	
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**K1 Person/Entity Involved** ☐ Local Option ☐ Business name (if applicable) ☐ Area Code ☐ Phone Number

☐ Check This Box if same address as incident location. Then skip the three duplicate address lines.

Mr., Ms., Mrs. First Name  MI  Last Name  Suffix

Number  Prefix  Street or Highway  Street Type  Suffix

Post Office Box  Apt./Suite/Room  City

State  Zip Code

☐ More people involved? Check this box and attach Supplemental Forms (NFIRS-1S) as necessary

**K2 Owner** ☐ Same as person involved? Then check this box and skip The rest of this section. ☐ Business name (if Applicable) ☐ Area Code ☐ Phone Number

☐ Check this box if same address as incident location. Then skip the three duplicate address lines.

Mr., Ms., Mrs. First Name  MI  Last Name  Suffix

Number  Prefix  Street or Highway  Street Type  Suffix

Post Office Box  Apt./Suite/Room  City

State  Zip Code

**L Remarks**  
Local Option  
Call came in as a violent 5150.

Upon arrival it was found that P.D. wanted a medical evaluation prior to returning patient to the county facility that patient was suppose to be at.

**Authorization**

☐ M062 ☐ Morales, Anthony G ☐ EM3 ☐ 06 ☐ 13 ☐ 2005  
Officer in charge ID Signature Position or rank Assignment Month Day Year

☒ M062 ☐ Morales, Anthony G ☐ EM3 ☐ 06 ☐ 13 ☐ 2005  
Same as Officer making report ID Signature Position or rank Assignment Month Day Year

41050	CA	6	12	2005	2	05-000336	000	Complete Narrative
FDID *	State *	Incident Date *			Station	Incident Number *	Exposure *	

**Narrative:**

Call came in as a violent 5150.

Upon arrival it was found that P.D. wanted a medical evaluation prior to returning patient to the county facility that patient was suppose to be at.

41050

CA

6

17

2005

2

05-000336

000

Complete  
Narrative

FDID \*

State \*

Incident Date \*

Station

Incident Number \*

Exposure \*

**Narrative:**

Call came in as a violent 5150.

Upon arrival it was found that P.D. wanted a medical evaluation prior to returning patient to the county facility that patient was suppose to be at.

The last in the series of exhibits in Exhibit 5 is a chart entitled “Paramedics’ Records and Other Medical Reports re Julia V. and Eva Al-Z.” showing a history of being targeted by the county for trumped-up psychiatric and medical care. The right hand column (Paramedics/ Health Provider’s Response) shows a disturbing pattern of the detention of my mother and my daughter without cause and detention to cause our mental and physical distress.

*Exhibit 5 continued*

1100

**PARAMEDICS' RECORDS AND OTHER MEDICAL REPORTS**  
**RE JULIA VENOA and EVA AL-ZAGHARI**

**KEY:** \* (subpoena served); \_\_\_\_\_ (subpoena in process)

(Police or Other Person Made Call) on	(Date) to	(Paramedics or Health Provider)	(Re Alleged Distressed Person)	(Paramedics/ Health Provider's Response)
A. ATHERTON POLICE	JUNE 29, '04	NOT KNOWN	EVA AL-Z.	_____ (Sent to SMMC)
B. SMC SHERIFF	JUNE 29, '04		EVA AL-Z.	SAN MATEO MEDICAL CENTER (SMMC) QUICKLY RELEASED HER. _____
C. RWC POLICE	JUNE 30, '04	NOT KNOWN	EVA AL-Z.	_____ (Sent to Kaiser RWC)
D.	JUNE 30, '04	_____	EVA AL-Z.	KAISER RWC SAID "NO PROBLEMS" "WHY WAS SHE SENT HERE?" _____

**(ON JULY 6, 2004, JULIA V. WAS TEMPORARILY CONSERVED BY ESTRANGED  
HUSBAND, PLAINTIFF DELFIN V.)**

E. PLAINTIFF'S ATTORNEY	AUG. 2, '04	M. P. FIRE DEPT.	JULIA V.	"FALSE REPORT, MALICIOUS, MISCHIEVOUS	*
----------------------------	-------------	------------------	----------	---	---

**(ON AUGUST 6, 2004, JULIA V. WAS ORDERED TEMPORARILY CONSERVED BY SAN  
MATEO COUNTY.)**

F. DEFENDANT REMMERT	OCT. 22, '04	R. ROSENBLATT, R.N.	JULIA V.	"ALERT, INTELLIGENT" NO BEHAVIOR THAT JUSTIFIES A CONSERVATOR"
-------------------------	--------------	------------------------	----------	---

*Exhibits continued*

(Police or Other Person Made Call)	on	(Date)	to	(Paramedics or Health Provider)	(Re Alleged Distressed Person)	(Paramedics'/ Health Provider's Response)
---------------------------------------	----	--------	----	------------------------------------	-----------------------------------	--

**(ON OCTOBER 29, 2004, JULIA V. WAS ORDERED TO BE PERMANENTLY CONSERVED  
BY SAN MATEO COUNTY.)**

G. RWC POLICE	NOV. 5, '04	NOT KNOWN	EVA AL-Z.			(Sent to SMMC)
	NOV. 5, '04		EVA AL-Z. (committed for 2 weeks)			SMMC PSYCHIATRIST DR. FLYNN: "DOES NOT FIT THE CRITERIA FOR A CONSERVATORSHIP"
						DIAGNOSED WITH/ TREATED FOR DIABETES

**(ON NOVEMBER 8, 2004, LETTERS OF CONSERVATORSHIP RE JULIA V. WERE  
ISSUED.)**

H. DEFENDANT REMMERT	NOV. 15, '04	R. ROSENBLATT, R.N.	JULIA V.	"PLEASANT"
-------------------------	--------------	------------------------	----------	------------

**(ON DECEMBER 6, 2004, JULIA V. WAS PERMANENTLY FORCED OUT OF OUR HOME  
AT 990 BERKELEY AVE., M.P. AND INSTITUTIONALIZED)**

I. DEFENDANT REMMERT	DEC. 15, '04	R. ROSENBLATT, R.N.	JULIA V.	"COULD EASILY BE ...AN OUTPATIENT"
J. DEFENDANT REMMERT	DEC. 28, '04	R. ROSENBLATT, R.N.	JULIA V.	"MEDICAL CONDITION DOES NOT... JUSTIFY HOSPITAL CARE."
K. DEFENDANT REMMERT	JAN. 11, '05	R. ROSENBLATT, R.N.	JULIA V.	"HOSPITAL FORCING JULIA V. TO BE IMMOBILE"

**(ON FEBRUARY 17, 2005, THE COUNTY BEGAN DRUGGING JULIA V. TO ALLEGEDLY INDUCE PSYCHOSIS.)**

L. BURLINGAME POLICE MAR. 26, '05 RWC FIRE DEPT. JULIA V. ESCAPED.

(Police or Other Person Made Call)	on (Date)	to (Paramedics or Health Provider)	(Re Alleged Distressed Person)	(Paramedics' or Health Provider's Response)
	MAR. 26, '05		JULIA V.	(Forced to return to SMMC)
M. SMC SHERIFF	MAR. 26, '05	M. PK. FIRE DEPT.	EVA AL-Z.	REFUSES TO TALK, O/WISE RESPONSIVE. *
N. SMC SHERIFF	MAR. 26, '05	AMER. MEDICAL RESPONSE (AMR)	EVA AL-Z.	SHERIFF QUOTED AMR: * "NOT A 5150"
O.		AMR	EVA AL-Z.	
P.	MAR. 26, '05		EVA AL-Z.	RWC KAISER KAISER IGNORED HIGH BLOOD SUGAR READING.
Q. RWC KAISER	MAR. 27, '05	PRIORITY ONE	EVA AL-Z.	(Sent to SMMC by Kaiser)
R.	MAR. 27, 2005		EVA AL-Z.	SMMC IGNORED DIABETIC CONDITION

**(ON MARCH 27, 2005, @ 4:00 A.M., EVA AL-Z. WAS PERMANENTLY FORCED OUT OF OUR HOME AT 990 BERKELEY AVE., MENLO PK. AND INSTITUTIONALIZED )**

*Exhibit 5 continued*

**(ON MARCH 27, 2005, @ 7:00 A.M., THE COUNTY BEGAN DRUGGING EVA AL-Z. TO ALLEGEDLY INDUCE PSYCHOSIS.)**

---

**(ON APRIL 25, 2005, A RESTRAINING ORDER PROHIBITING MY CONTACT WITH JULIA V. WAS ISSUED.)**

---

**(ON JUNE 7, 2005, EVA AL-Z. WAS ORDERED PERMANENTLY CONSERVED BY SAN MATEO COUNTY. THERE WERE NO HEARINGS FOR "LPS", FORCED MEDICATION, OR CHARGES OF VIOLENCE. THERE WAS NO NOTICE OF A TEMPORARY CONSERVATORSHIP)**

---

**(ON JUNE 13, 2005, LETTERS OF CONSERVATORSHIP RE EVA AL-Z. WERE ISSUED.)**

---

(Police or Other Person Made Call)	on (Date)	to (Paramedics or Health Provider)	(Re Alleged Distressed Person)	(Paramedics' or Health Provider's Response)
S. SMC SHERIFF	JUNE 12, 2005	M. PK. FIRE	EVA AL-Z. ESCAPED.	NO EMERGENCY AID * NEEDED; NO VIOLENCE ENCOUNTERED.
	JUNE 12, 2005		EVA AL-Z.	FORCED TO RETURN TO CORDILLERAS INSANE ASYLUM

---

**(ON JULY 11, 2005, A RESTRAINING ORDER PROHIBITING MY CONTACT WITH EVA AL-Z. WAS ISSUED.)**

---

Exhibit  
6

1 No law enforcement report recommended emergency care under a  
2 5150 during the period of the county's investigation for a conservatorship  
3 (March 26, 2005 through June 7, 2005, the date of the Probate Court trial  
4 and conservatorship order.)  
5

6  
7 (Exhibit 5, the 911 Public Safety Communications, states that the  
8 Sheriff's Office complied with the AMR paramedics' request to cancel the  
9 5150).  
10

11 AMR paramedics then took Eva Al-Z. to Kaiser Hospital in Redwood  
12 City, as her blood sugar was abnormally high. Rather than treating her for  
13 diabetes, psychiatrists were called in to declare her a 5150.  
14

15  
16 March 27, 2005, @ 4:00 a.m.

17 By depriving her of food, water, sleep, and bathing facilities, the  
18 Kaiser staff watched her become confused, then the psychiatrists had her  
19 transported in her unstable diabetic condition to psychiatric emergency  
20 services (PES) of San Mateo Medical Center. It was then around 4:00 a.m.,  
21 March 27, 2005. Her blood sugar was dangerously high and climbing and  
22 she still was not allowed to eat or sleep, drink water, or take a shower.  
23  
24

25  
26 March 27, @ 8:00 a.m.

27  
28 Dr. Flynn in her psychiatric Unit A took over the treatment of Eva Al-

1  
2 Z. by forcibly injecting her with psychosis-inducing drugs. Eva Al-Z. tried  
3 to resist and was declared violent by the staff. Within a week or so, she was  
4 immobilized with restraint devices in an isolation cell.  
5

6 April 13, 2005  
7

8 All court records are sealed by the county. The court denied my  
9 petition to have access to the court files under the Freedom of Information  
10 Act.  
11

12 The words "LPS" appeared for the first time to my knowledge on the  
13 notice of case and line appearance posted on the courtroom door for Eva Al-  
14 Z.'s petition for writ of habeas corpus on April 13, 2005. The county  
15 continued to categorize this case as subject to the LPS Act without any  
16 hearing. Under the LPS Act, all of her civil rights and my First Amendment  
17 right for contact with her were taken away.  
18  
19  
20

21 April 14, 2005  
22

23 On April 14, 2005, the court granted to the county a temporary  
24 conservatorship order at a hearing that neither my daughter nor I knew  
25 about. We were served the order about two weeks after it was filed.  
26  
27 Medical records show that the custodial psychiatrist under Dr. Mary M.  
28

1  
2 Flynn, M.D. (Dr. Beverly Cox, M.D.) did not even know that the temporary  
3 conservatorship had taken place.)  
4

5 To my knowledge, the county or court failed to have the Letters of  
6 Temporary Conservatorship issued under Probate Code sec. 2251.  
7

8 Exhibit 6, Temporary conservatorship order follows.  
9  
10  
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**ENDORSED FILED**  
**SAN MATEO COUNTY**

THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)  
By: Peter K. Finck, Deputy (SBN 81875)

Hall of Justice and Records  
400 County Center, 6<sup>th</sup> Floor  
Redwood City, CA 94063  
Telephone: (650) 363-4758  
Fax: (650) 363-4034

Attorneys for Petitioner

APR 14 2005

Clerk of the Superior Court  
By VICTORIA PARHAM  
DEPUTY CLERK

*Received by EDZ  
Apr 29, 2005  
in hospital*

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN MATEO

PEOPLE OF THE STATE OF CALIFORNIA

Concerning,

EVA ALZAGHARI

Respondent.

LPS Case No. 108876

**ORDER APPOINTING TEMPORARY  
CONSERVATOR OF THE PERSON**

Having read and considered the petition requesting appointment of a temporary conservator and supporting documents which have been filed herein, and good cause appearing therefore;

**IT IS HEREBY ORDERED** that DONALD R. WEIHER, LCSW, be appointed Temporary Conservator of the Person of the respondent to serve without bond, pursuant to section §5353 of the Welfare and Institutions Code, to provide the conservatee with food, shelter and care, and if necessary, require that the conservatee be detained pursuant to Welfare and Institutions Code section §5358 in a facility providing intensive treatment pending establishment of a conservatorship herein.

**IT IS FURTHER ORDERED** that the Temporary Conservator shall have the power to consent to for the conservatee and require conservatee to receive treatment related specifically to remedying or preventing the recurrence of the conservatee's being gravely disabled and to consent to routine medical treatment for the conservatee unrelated to the grave disability.

**IT IS FURTHER ORDERED** that the Temporary Conservator appointed herein is authorized to exercise those general powers specified in Chapter 5 and 6 (commencing with Section 2350 and 2400) of

Art 4 of Division 4 of the Probate Code.

This Temporary Conservatorship shall terminate upon the establishment of a conservatorship or upon the expiration of thirty (30) days from the date of the Order, whichever shall occur first.

Dated: APR 14 2005

  
JUDGE OF THE SUPERIOR COURT

L:\GROUP\LPSE\ESTAB\FORMS\TEMPORARY CONSERVATORSHIP - ORDER APPOINTING TEMPORARY CONSERVATORSHIP.Doc

Exhibit  
7

1 At the following hearings, the psychiatrist Dr. Flynn testified that law  
2 enforcement reports initiated the 5150 under which Eva Al-Z. was brought  
3 to her on March 27, 2005, one day after the county's investigation for  
4 conservatorship began on March 26, 2005.  
5

6  
7 Dr. Flynn stated at hearings held before the conservatorship trial that  
8 law enforcement reports supposedly triggered a 5150 hold on Eva Al-Z.  
9 beginning on March 26, 2005. The hearings before the trial were as  
10 follows:  
11

12  
13 April 1, 2005 Hospital hearing at San Mateo Medical Center

14 April 13, 2005 Petition for writ of habeas corpus

15  
16 May 3, 2005 Petition for writ of habeas corpus

17 What Dr. Flynn intentionally failed to state was 1) there were no law  
18 enforcement reports for a 5150 hold of Eva Al-Z. on March 26, 2005, the  
19 beginning date of the county's investigation for a conservatorship until Eva  
20 Al-Z.'s subsequent attempt to escape from the horror of the conservatorship  
21 order issued on June 7, 2005; 2) that law enforcement reports before the  
22 beginning of the county's investigation on March 26, 2005 were not part of  
23 the county investigator's inquiry. Dr. Flynn negated any investigation prior  
24 to March 26, 2005 by stating in her medical record on November 18, 2004  
25  
26  
27  
28

1  
2 that "[Eva Al-Z.] does not meet legal criteria for conservatorship under the  
3 LPS law" (Exhibit 4).  
4

5 April ~ June 7, 2005

6 The court for a conservatorship committed double jeopardy by putting  
7 Eva Al-Z. on trial a second time for slapping a stewardess in a federal  
8 misdemeanor crime. Again, no papers were served to us so that we could  
9 respond to any allegation. Eva Al-Z. was deemed competent by a federal  
10 court for its probation program co-existing with the county's  
11 conservatorship order of incompetence.  
12  
13  
14

15 Without cause, Eva Al-Z. was tried as a criminal in preliminary  
16 hearings for a conservatorship order by the County Counsel's Office:  
17

18 The words "People... v. Eva Al-Z." were posted on Appearances and  
19 Line number docket sheet on the courtroom door in the following cases (We  
20 were not served with pleading papers)  
21

22 The words "People of the State of California v. Eva D. Al-Zaghari"  
23 are stated on the pleading papers in Exhibit 7 on the following page.  
24  
25  
26  
27  
28

**ENDORSED FILED**  
**SAN MATEO COUNTY**

APR 14 2005

Clerk of the Superior Court  
By VICTORIA PARHAM  
DEPUTY CLERK

THOMAS F. CASEY, III, COUNTY COUNSEL (SBN 47562)

BY: Peter K. Finck, Deputy (SBN 81875)

Hall of Justice and Records

400 County Center, 6<sup>th</sup> Floor

Redwood City, CA

Telephone: (650) 363-4758

Fax: (650) 363-4034

Attorneys for Petitioner

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO



PEOPLE OF THE STATE OF CALIFORNIA

LPS No.

Concerning

**EX PARTE**

Eva Alzaghari

**PETITION TO ESTABLISH TEMPORARY  
CONSERVATORSHIP**

Respondent.

Petitioner, the officer providing conservatorship investigation in the above-entitled matter, respectfully alleges as follows:

1. Beverly Cox, MD and Joe Broderick, MD, the professional persons in charge of San Mateo Medical Center, an agency providing comprehensive evaluation and/or a facility providing intensive treatment, have recommended establishment of a conservatorship for the respondent herein because they have determined that said person is gravely disabled as a result of mental disorder or impairment by chronic alcoholism and is unwilling to accept, and/or incapable of accepting, treatment voluntarily.

2. The above-named persons who have recommended conservatorship have submitted declarations stating that the respondent is in need of a temporary conservator because she is presently incapable of properly taking care of herself. Said declarations are attached hereto and incorporated herein by reference as Exhibits A, B and C.

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)  
By: Peter K. Finck, Deputy (SBN 81875)  
2 Hall of Justice and Records  
400 County Center, 6<sup>th</sup> Floor  
3 Redwood City, CA 94063  
Telephone: (650) 363-4758  
4 Fax: (650) 363-4034

5 Attorneys for Petition:

*Received by EDZ  
Apr 29, 2005  
in hospital*

**ENDORSED FILED**  
**SAN MATEO COUNTY**

APR 14 2005

Clerk of the Superior Court  
By VICTORIA PAPHIAN  
CLERK

6  
7  
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 IN AND FOR THE COUNTY OF SAN MATEO

10  
11  PEOPLE OF THE STATE OF CALIFORNIA

12 Concerning,

13 EVA ALZAGHARI

14 Respondent.

LPS Case No. 108876

**ORDER APPOINTING TEMPORARY  
CONSERVATOR OF THE PERSON**

15  
16 Having read and considered the petition requesting appointment of a temporary conservator and  
17 supporting documents which have been filed herein, and good cause appearing therefore;

18 **IT IS HEREBY ORDERED** that DONALD R. WEIHER, LCSW, be appointed Temporary  
19 Conservator of the Person of the respondent to serve without bond, pursuant to section §5353 of the  
20 Welfare and Institutions Code, to provide the conservatee with food, shelter and care, and if necessary,  
21 require that the conservatee be detained pursuant to Welfare and Institutions Code section §5358 in a  
22 facility providing intensive treatment pending establishment of a conservatorship herein.

23 **IT IS FURTHER ORDERED** that the Temporary Conservator shall have the power to consent  
24 to for the conservatee and require conservatee to receive treatment related specifically to remedying or  
25 preventing the recurrence of the conservatee's being gravely disabled and to consent to routine medical  
26 treatment for the conservatee unrelated to the grave disability.

27 **IT IS FURTHER ORDERED** that the Temporary Conservator appointed herein is authorized to  
28 exercise those general powers specified in Chapter 5 and 6 (commencing with Section 2350 and 2400) of

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)

2 By: Peter K. Finck, Deputy (SBN 81875)

3 Hall of Justice and Records

400 County Center, 6<sup>th</sup> Floor

3 Redwood City, CA 94063

Telephone: (650) 363-4758

4 Fax: (650) 363-4034

5 Attorneys for Petitioner

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF SAN MATEO

10 ↓  
11 PEOPLE OF THE STATE OF CALIFORNIA

12 Concerning,

13 EVA AL-ZAGHARI

14 Respondent.

LPS Case No. 108876

**NOTICE OF HEARING**

Date: May 11, 2005

Time: 11:00 a.m.

15  
16 **NOTICE IS HEREBY GIVEN** that Pamela F. Low, the officer providing conservatorship  
17 investigation in the above-entitled matter, has filed herein a Petition to Establish Conservatorship, and an  
18 Order Appointing Temporary Conservator having issued thereon, and that the same is hereby set for  
19 hearing by the Court on **WEDNESDAY, May 11, 2005, 11:00 a.m., at 400 County Center,**  
20 **Department 14, Courtroom 8B in Redwood City, California.**

21 **ALL PERSONS INTERESTED ARE NOTIFIED** to appear at the time and place mentioned in  
22 this Notice and show cause, if any they have, why the Order should not be made. This notice is required  
23 by law. This notice **does not require you to appear in court**, but you may attend the  
24 hearing if you wish.

25 Dated: April 27, 2005.

CLERK OF THE SUPERIOR COURT

26  
27 BY: \_\_\_\_\_  
Deputy Clerk

28 L:\GROUP\LPS\ESTAB\FORMS\NOTICE OF HEARING.Doc

LPS Case NO. 108876

NOTICE OF HEARING

**ENDORSED FILED**  
**SAN MATEO COUNTY**

MAY - 2 2005

Clerk of the Superior Court  
By MARIA J. PEÑA  
DEPUTY CLERK

THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)  
By: Judith A. Holiber, Deputy (SBN 180619)  
Hall of Justice and Records  
400 County Center, 6<sup>th</sup> Floor  
Redwood City, CA 94063  
Telephone: (650) 363-4747  
Fax: (650) 363-4034

Attorneys for Respondent

*Denial*

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN MATEO

↓  
PEOPLE OF THE STATE OF CALIFORNIA

Concerning,

EVA AL ZAGHARI,

Petitioner.

LPS Case No. 108876

**ANSWER AND RETURN TO VERIFIED  
PETITION FOR WRIT OF HABEAS  
CORPUS**

Date: May 4, 2005  
Time: 9:00 a.m.  
Dept: Presiding Judge

Respondent, PEOPLE OF THE STATE OF CALIFORNIA, answers the petition for Writ of Habeas Corpus as follows:

1. Respondent denies the allegation that the petitioner is being unlawfully restrained of liberty.

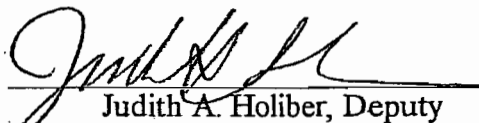
2. Respondent admits the allegation that the patient was admitted to the treatment facility under the authority of Welfare and Institutions Code §5250 or temporary conservatorship pursuant to §5352.1.

3. Respondent denies the allegation that the petitioner is not gravely disabled nor a danger to herself and/or others.

**WHEREFORE**, respondent prays that the petition for Writ of Habeas Corpus be denied.

Dated: May 2, 2005.

THOMAS F. CASEY III, COUNTY COUNSEL

  
Judith A. Holiber, Deputy

IN WITNESS WHEREOF

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)

By: Peter K. Finck, Deputy (SBN 81875)

2 Hall of Justice and Records

400 County Center, 6<sup>th</sup> Floor

3 Redwood City, CA 94063

Telephone: (650) 363-4758

4 Fax: (650) 363-4034

5 Attorneys for Petitioner

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF SAN MATEO

10 ↓  
11 PEOPLE OF THE STATE OF CALIFORNIA

12 Concerning,

13 EVA AL-ZAGHARI

14 Respondent.

LPS Case No. 108876

15 CITATION

Date: May 11, 2005

Time: 11:00 a.m.

16 THE PEOPLE OF THE STATE OF CALIFORNI

17 TO: EVA AL-ZAGHARI  
San Mateo Medical Center  
18 [via County mail]

*Received  
June 5, 2005*

19 BY ORDER OF THIS COURT, you are required to appear before this Court at  
20 400 COUNTY CENTER, DEPARTMENT 14, COURTROOM 8B in REDWOOD CITY,  
21 CALIFORNIA, on WEDNESDAY, May 11, 2005, at 11:00 a.m. and then and there to show cause, if  
22 any you have, why a conservator of your person and estate should not be appointed pursuant to said  
23 petition.

24 This conservatorship would be established under the provisions of the Lanterman-Petris-Short  
25 (LPS) ACT, §§ 5000 et seq. of the Welfare and Institutions Code. Under that code, conservatorships can  
26 be established for "gravely disabled" persons. "Grave disability" means: a person, as a result of a mental  
27 disorder, is unable to provide for his or her basic personal needs for food, clothing, or shelter. Welfare  
28

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)

2 By: *Judith A. Nohner*, Deputy

3 State Bar No. *180619*

4 Hall of Justice and Records

5 400 County Center, 6<sup>th</sup> Floor

6 Redwood City, CA 94063

7 Telephone: (650) 363-*4747*

8 Fax: (650) 363-4034

9 Attorneys for Petitioner

10  
11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 IN AND FOR THE COUNTY OF SAN MATEO

13  
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↓  
PEOPLE OF THE STATE OF CALIFORNIA

Concerning,

*Evaa Alzaghari*

Respondent.

LPS Case No. *108876*

ORDER EXTENDING TEMPORARY  
CONSERVATORSHIP

DONALD R. WEIHER, LCSW, was appointed temporary conservator of respondent by Order of the Superior Court dated *4-14-05*, and he thereafter petitioned to establish a conservatorship pursuant to the Welfare and Institutions Code.

At the hearing on the conservatorship, respondent demanded a court or jury trial on the issue of grave disability. [Welfare and Institutions Code § 5350(d)]. The Court finds that the temporary conservatorship must be extended until trial in order to protect the respondent and provide for his/her welfare.

NOW, THEREFORE, IT IS HEREBY ORDERED that the temporary conservatorship is extended and continued in effect until termination of the trial on the issue of grave disability.

Dated: *5/11/05*

TIME WAIVER: *60* DAYS

*Randy B. [Signature]*  
JUDGE OF THE SUPERIOR COURT

To Master Calendar:

Please set trial on: M T W Th F

L:\GROUP\LPS\ESTAB\ORDER EXTENDING TEMPORARY CONSERVATORSHIP CT OR JT - THURSDAY'S HEARING.Doc

**ENDORSED FILED**  
**SAN MATEO COUNTY**

JUN 03 2005

Clerk of the Superior Court  
By Jane Cogliati  
DEPUTY CLERK

THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)  
By: Peter K. Finck, Deputy (SBN 81875)  
Hall of Justice and Records  
400 County Center, 6<sup>th</sup> Floor  
Redwood City, CA 94063  
Telephone: (650) 363-4758  
Fax: (650) 363-4034

Attorneys for Petitioner

## IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

## IN AND FOR THE COUNTY OF SAN MATEO

↓  
PEOPLE OF THE STATE OF CALIFORNIA

Concerning,

EVA AL-ZAGHARI

Respondent.

LPS Case No. 108876

**OPPOSITION TO PETITION FOR WRIT OF  
HABEAS CORPUS – LPS ACT****Date: June 6, 2005****Time: 9:00 a.m.****Dept.: 28**

I, Peter K. Finck, Deputy County Counsel, attorney for respondent in above-entitled matter  
declare:

1. On April 14, 2005, petitioner was placed on a temporary conservatorship. (See Exhibit A  
attached hereto.)

2. On May 2, 2005, petitioner filed a Writ of Habeas Corpus challenging her temporary  
conservatorship. (See Exhibit B attached hereto.)

3. On May 4, 2005, said writ was denied. Respondent asks this court to take judicial notice  
of the court's minutes denying said writ. (See minutes attached hereto as Exhibit C.)

4. On June 2, 2005, petitioner filed the within Writ of Habeas Corpus challenging her  
placement under W&I Code § 5358.7 to be heard on June 6, 2005.

5. Petitioner has a jury trial to establish her conservatorship currently scheduled for June 7,  
2005.

6. Judicial review to challenge her placement by Writ of Habeas Corpus "shall be in the  
LPS Case NO. 108876

---

**OPPOSITION TO PETITION FOR WRIT OF HABEAS CORPUS – LPS ACT**

Exhibit  
8

1  
2  
3 April 30, 2005  
4

5 On April 30, 2005, Eva Al-Z. complained to the psychiatric staff at  
6 San Mateo Medical Center that pleadings were not being served to her.  
7

8 Exhibit 8, her letter to the San Mateo Medical Center staff, follows.  
9  
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To the Hospital Staff:

I would like a copy of all paper for all of your hearings beginning April 1, 2005 to the present (include pleadings for the court Case No L 108876.) <sup>1062</sup> Given to my mother, Shirley Remmert. (650 222 4682)

You may call her to arrange for her "pick ups" of the paper.

This serves as notice that you are not serving me with legal documents.

cc Pam Low

Very Truly Yours,  
Eva D. Al. Yagha  
April 30<sup>th</sup> 2005

ORIGINAL IN

~~FILE~~  
✓

COURT FILE

6-6-05 FILED

Exhibit  
9

1           There was no hearing for the county to have the right under a  
2 permanent conservatorship order to forcibly drug my daughter with any  
3 medication or mind-altering, psychosis-inducing drug (commonly called  
4 anti-psychotic or psychotropic medication). The court docket should show  
5 that no hearing took place under Probate Code sec. 1881. No notice was  
6 given by the court to my already drugged daughter that she or I have the  
7 “right to object” and that such objection, “at least, shall include an interview  
8 by a court investigator pursuant to Section 1826 prior to the hearing on the  
9 petition.” The legal process of trying the matter of forced medication would  
10 involve serving us with a petition such as in Exhibit 9 on the following  
11 page. Neither my daughter nor I were served with such a petition.  
12  
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THOMAS F. CASEY, III, COUNTY COUNSEL

HALL OF JUSTICE AND RECORDS  
401 MARSHALL STREET  
REDWOOD CITY, CA. 94063

Attorneys for Petitioner

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN MATEO

In the Matter of	)	NO. _____
	)	
_____ ,	)	PETITION FOR A DETERMINATION
	)	OF INCOMPETENCE AND FOR AN
a Patient.	)	ORDER AUTHORIZING INVOLUNTARY
	)	TREATMENT WITH MEDICATIONS

COMES NOW \_\_\_\_\_  
(Name of Treating or Supervising Physician)

and alleges:

I

\_\_\_\_\_ is a patient involuntarily  
committed to the Inpatient Unit of SAN MATEO COUNTY GENERAL  
HOSPITAL pursuant to the provisions of the LPS Act (Welfare  
and Institutions Code Sections 5000 et seq.).

II

Said patient is a person who as a result of a mental  
disorder requires commitment and care by the psychiatric staff  
of the above-referenced Hospital. In conjunction with  
treatment, the physician in charge has determined that the  
patient is unwilling to accept antipsychotic and other  
medication voluntarily.

Exhibit  
10

1 May 26, 2005

2 Around May 26, 2005, I faxed a letter to Eva Al-Z.'s private defender,  
3 Anne Murphy and explained to her that my daughter was not a 5150 on  
4 March 26, 2005 when the county's investigation for conservatorship began.  
5 I received no response.  
6

7 June 6, 2005

8 Beginning on June 6, 2005, I tried to show the ex parte court the 911  
9 Public Safety Communication stating that Eva Al-Z. was not a 5150 for the  
10 purpose of detention-for-investigation (Exhibit 5).  
11

12 June 7, 2005

13 The judge who presided over the conservatorship trial, Hon. John L.  
14 Grandsaert said at the beginning of the jury trial that the case was actually a  
15 hybrid case, meaning, I believe, that the case was part criminal and part  
16 civil.  
17

18 At the end of the trial, he changed the designation of the case from  
19 "People of the State..." to "In the Matter of Eva D. Al-Z..."  
20

21 In the judge's "Judgment" (Exhibit 11), the county is given powers  
22 over Eva Al-Z. pursuant to an "Order Establishing Conservatorship", which  
23 was not served to either Eva Al-Z. or to me.  
24  
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1  
2 The Letters of Conservatorship (Exhibit 1) grant powers to the county  
3 pursuant to the county's "Petition Establishing Conservatorship". The  
4 petition is not an order and therefore the conservatorship is illegal.  
5

6  
7 I was not allowed to observe the trial, because I was a witness. The  
8 court record and transcripts of my daughter's case continued to be sealed.  
9

10 June 13, 2005

11 On June 8, 2005, Dr. Rosemary Pfeiffer refused to hear the matter of  
12 exonerating evidence (Exhibit 5) regarding Eva Al-Z. and granted Deputy  
13 County Counsel Judith A. Holiber's motion for a sanction against me on  
14 June 13, 2005 (Exhibit 10).  
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1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)

By: Judith A. Holiber, Deputy (SBN 180619)

2 Hall of Justice and Records

400 County Center, 6<sup>th</sup> Floor

3 Redwood City, CA 94063

Telephone: (650) 363-4747

4 Fax: (650) 363-4034

5 Attorneys for San Mateo County Public Guardian

6  
7 ~~IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA~~

8 IN AND FOR THE COUNTY OF SAN MATEO

9 IN THE MATTER OF THE CONSERVATORSHIP  
10 OF THE PERSON AND ESTATE OF

11 EVA D. AL-ZAGHARI,

12 Conservatee.

LPS Case No. 108876

**ORDER DENYING SHIRLEY REMMERT'S  
EX PARTE PETITION FOR WARRANT IN  
LIEU OF HABEAS CORPUS AND  
AWARDING SANCTIONS PURSUANT TO  
CODE OF CIVIL PROCEDURE SECTION  
1008**

14 The Ex Parte Petition of Shirley V. Remmert for Warrant in Lieu of Habeas Corpus was  
15 presented to this Court on June 10, 2005. Shirley V. Remmert appeared on the ex parte calendar and  
16 presented the Ex Parte Petition. Judith A. Holiber, Deputy County Counsel, appeared on behalf of the  
17 Public Guardian and presented a Declaration in Opposition to the Petition and a Request for Sanctions.

18 The Court finds from proof made to the satisfaction of the Court that the Ex Parte Petition for  
19 Warrant in Lieu of Habeas Corpus was previously presented to the Honorable George A. Miram on  
20 June 8, 2005 and denied on that date.

21 **THEREFORE, IT IS HEREBY ORDERED:**

22 That the Ex Parte Petition for Warrant in Lieu of Habeas Corpus is hereby denied.

23 **IT IS FURTHER ORDERED THAT:**

24 Shirley V. Remmert is sanctioned \$750.00 pursuant to Code of Civil Procedure section 1008  
25 payable to the San Mateo County Office of County Counsel within thirty (30) days of the date of this  
26 order.

27 Dated: 4/13/05

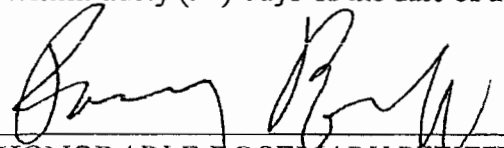
  
HONORABLE ROSEMARY PFEIFFER

Exhibit  
11

1  
2 However, I was served with Mental Health Investigator Pamela Low's  
3 *Petition to Establish a Conservatorship*. The "Letters of Conservatorship"  
4 (Exhibit 2) give powers to the conservator to impose conditions "as  
5 specified in the *Petition to Establish Conservatorship*." The private  
6 defenders made no response to Ms. Lowe's petition, since my daughter and  
7 I were not served with a copy of any response. Nor did my daughter or I  
8 meet with a private defender at any time to prepare for the trial.  
9  
10  
11

12 The Judgment signed by Hon. John L. Grandsaert, on the other hand,  
13 states that the conservator San Mateo County will have the same powers as  
14 were set forth in the *Order Establishing Conservatorship*, but I have never  
15 seen a document by that name. Exhibit 11, Judgment after Trial for  
16 Conservatorship, follows.  
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**ENDORSED FILED  
SAN MATEO COUNTY**

JUN 10 2005

Clerk of the Superior Court  
By Jane Cogliati  
DEPUTY CLERK

1 THOMAS F. CASEY III, COUNTY COUNSEL (SBN 47562)  
2 By: Judith A. Holiber, Deputy (SBN 180619)  
3 Hall of Justice and Records  
4 400 County Center, 6<sup>th</sup> Floor  
5 Redwood City, CA 94063  
6 Telephone: (650) 363-4747  
7 Fax: (650) 363-4034

8 Attorneys for Petitioner

9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 IN AND FOR THE COUNTY OF SAN MATEO

11 IN THE MATTER OF THE CONSERVATORSHIP  
12 OF THE OF PERSON AND ESTATE

LPS Case No. 108876

JUDGMENT

13 EVA AL-ZAGHARI,

14 Conservatee.

15 The petition of Pamela F. Low, Investigating Officer and Temporary Conservator of EVA AL-  
16 ZAGHARI, for establishment of Conservatorship came on regularly for jury trial on June 7, 2005, at 9:00  
17 a.m. in Department 11 of the above-entitled Court, the Honorable John Grandseer, Judge,  
18 presiding. A jury was selected and sworn and the trial commenced. THOMAS F. CASEY, III,  
19 COUNTY COUNSEL by Judith A. Holiber, Deputy County Counsel, appeared for petitioner.  
20 Conservatee was present during the trial and was represented by her attorney, Neal Winchell. The jury  
21 after hearing the evidence, the arguments of Counsel, and instruction of the Court, rendered their verdict  
22 as follows: We, the jury in the above-entitled action, in a unanimous vote, find EVA AL-ZAGHARI to  
23 be gravely disabled.

24 NOW, THEREFORE, IT IS ADJUDGED, ORDERED, and DECREED that the petition  
25 herein be, and is, granted, and

26 IT IS FURTHER ORDERED that the San Mateo County Public Guardian be appointed  
27 conservator of the Person and Estate with the same powers and duties as were set forth in the Order  
28 Establishing Conservatorship, and with the power to require the conservatee to take treatment related to  
remedying or preventing the recurrence of grave disability and also other medical treatment unrelated to  
grave disability which is necessary for treatment of existing or continuing medical conditions.

**IT IS FURTHER ORDERED** that Conservator of the person and estate of the above-named conservatee shall cause to be prepared an Individualized Treatment Plan in accordance with the provisions of Welfare and Institutions Code, Section 5352.6 within ten (10) days of the date of this Order, and shall provide a copy of said Individualized Treatment Plan to the Office of the Private Defender within fifteen (15) days of the date of this Order.

**IT IS FURTHER ORDERED** that the following disabilities as marked be imposed upon the conservatee:

- a. ☒ The Conservatee shall not retain the privilege of possessing a license to operate a motor vehicle.  
**Conservatee is internally preoccupied and her thought processes are very disorganized. Conservatee would be at risk of harming herself and the public if she was allowed to operate a moving vehicle.**
- b. ☒ The Conservatee shall not retain the right to enter into contracts.  
**Conservatee has poor judgment and is easily influenced by others.**
- c. ☐ The Conservatee shall be disqualified from voting pursuant to Election Code Section 707.5.
- d. ☒ The Conservatee shall not retain the right to refuse or consent to treatment specifically related to the Conservatee's being gravely disabled.  
**Conservatee has no insight about her mental illness and need for psychiatric treatment and placement.**
- e. ☒ The Conservatee shall not retain the right to refuse or consent to other medical treatment of an existing medical condition.  
**Conservatee is easily influenced by others and has no insight about her current medical condition. She has historically refused to follow up with diabetic treatment, which puts her health at great risk of decline.**

1 f [X] The Conservatee shall not be allowed to possess a  
2 firearm and/or any other deadly weapon pursuant to  
3 Welfare and Institutions Code Section 8103,  
4 Subdivision (e).

5 Conservatee has poor judgment and impulse control and has a history of  
6 striking at others. She was incarcerated for hitting a stewardess in 2002.

7 Dated: 6/7/05

  
JUDGE OF THE SUPERIOR COURT

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Exhibit  
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1           Some medical records incorrectly state that Eva Al-Z. abuses drugs.  
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3           Other records correctly state that she neither drinks, smokes, or abuses  
4           drugs. She was being treated or continues to be treated for the supposed  
5           drug abuse. In any event, there is no law enforcement report of her  
6           supposed drug abuse during any time in her life.  
7

8           The county has never petitioned the court for treatment for drug abuse  
9           and never treated it as an issue to be challenged, while knowing that no law  
10          enforcement report exists as to the abuse.  
11

12          Some medical records state that she was violent during the time that  
13          she is being conserved and institutionalized by the county. Dr. Flynn stated  
14          at hearings on April 1, April 13, and May 3, 2005 that Eva Al-Z. is violent.  
15          But she also stated that she never witnessed the violence. Moreover, neither  
16          the county nor Dr. Flynn reported any incident to law enforcement  
17          authorities once their investigation and custody of her began on March 26,  
18          2005, nor will they name or describe a victim, or define the injury.  
19  
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22

23          Some reports incorrectly state that she is suicidal, while another  
24          report correctly states that she has no suicidal ideation.  
25

26          All of the reports stating that she does not abuse drugs, has not  
27          committed any crime since 2002, and has no suicidal ideation appear  
28

1  
2 credible. But the county psychiatrists and their affiliates choose to use the  
3 false reports as the truth. They have made much money off of the drug  
4 abuse programs that she must attend; the medical check-ups and injections  
5 that she must endure.  
6

7  
8 Federal Probation Officer Esther M. Davis informed me that she can  
9 apply for authorization to testify that Eva Al-Z. was competent and in good  
10 standing throughout her probation period for a federal misdemeanor before  
11 and during the county's conservatorship. Exhibit 12, Officer Davis' letter to  
12 Eva Al-Z. follows.  
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**COPY**

**UNITED STATES DISTRICT COURT**



**NORTHERN DISTRICT OF CALIFORNIA  
PROBATION OFFICE**

**DEBRA K. AASMUNDSTAD  
CHIEF U.S. PROBATION OFFICER**

**Please reply to:**  
450 Golden Gate Ave., Ste. 17-6884  
San Francisco, CA 94102  
TEL: (415) 436-7541

450 Golden Gate Avenue  
Suite 17-6884 ; P.O. Box 36057  
San Francisco, CA 94102-3487  
TEL: (415) 436-7542  
FAX: (415) 436-7572

December 30, 2005

Eva Al-Zaghari  
990 Berkeley Avenue  
Menlo Park, CA 94025

Re: Eva Al-Zaghari  
Docket No.:  
SUPERVISION COMPLETION

Dear Ms. Al-Zaghari:

The purpose of this letter is to advise you that your term of \_\_\_\_\_ probation terminated on November 20, 2005. Consequently, you have fulfilled your obligation in regard to the completion of supervision as ordered by the Court.

Please remember that any financial obligations that were not paid in full continue to be an obligation that you must satisfy. Payment of any outstanding financial obligations will be pursued by the United States Attorney's Office.

Please maintain a copy of this document for your records. If our office can be of assistance to you in the future, please feel free to contact us.

Sincerely,

*Esther M. Davis / 4-9-07*

Esther M. Davis  
U. S. Probation Officer

EMD/emd

NDC-SUPV-041 07/25/05

Exhibit  
13

1  
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4 5. Eva Al-Zaghari is being physically and mentally abused by the  
5 county. Exhibit 13, "Issue: Allegation of Daily Mental and Physical  
6 Abuse" follows.  
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902.

ISSUE: ALLEGATION OF DAILY MENTAL AND PHYSICAL ABUSE (including assault, battery, torture, general medication by force, psychotropic medication by force, or medical malpractice, and negligence by custodians against EVA D. AL-ZAGHARI from 1990 to present in an alleged illegal conservatorship for false imprisonment. She is thirty-three years old.

### BACKGROUND

#### A. VALID DIAGNOSIS BY DR. HARRY VERBY, M.D. CONCURRENT WITH CONSERVATORSHIP INVESTIGATION BEGINNING MARCH 26, 2005:

##### EVA AL-ZAGHARI

<u>SUFFERED FROM</u>	<u>SINCE</u>	<u>DIAGNOSED IN</u>
1. Diabetes	1. 1990	1. 2000
2. Post-trauma	2. 1990; 1998	2. 2003
3. Asthma/ Bronchitis	3. 1974	3. 1976
4. Sleep Disorder	4. 1974	4. 2003
5. Fractured Foot	5. 1998	5. 2001
6. Recurrence of Fracture	6. 2001	6. 2001
7. Loss of Periods	7. 2002	7. 2004
8. Bleeding every day	8. 2003	8. 2004

Depression was also diagnosed beginning in 1999 because of the loss of custody of her newborn, but I will define "depression" in the non-psychiatric word: grief.

#### B. HISTORY OF THE EFFECTS OF PSYCHOTROPIC MEDICATION BY FORCE (PMF)

In 1988, Eva Al-Zaghari's grandmother, Julia C. Venoya was treated for the last time for what was deemed to be paranoid schizophrenia. County employees, however, took it upon themselves to have the treatment renewed. The diagnosis was used to prejudice the diagnosis of Eva Al-Z., because of social view that the supposed illness is inherited.

Julia Venoya, my mother, was also wrongfully diagnosed.

PMF of my daughter caused the vicious cycle of 1) psychotropic medication by force; 2) release from a facility and then 3) post trauma from the PMF, including the loss of periods up to one year, inability to concentrate, infections, painful withdrawal, and a host of other problems.

C.	YEAR	DURATION OF MED.	PSYCH MEDS BY FORCE (PMF)
	1990	1 week	First diagnosis of paranoid schizop. VOLUNTARY ADMISSION by Eva

YEAR	DURATION OF MED.	PSYCH. MEDS BY FORCE (PMF)
------	------------------	----------------------------

(continued)

1990	1 week	Seeking counseling for drug/ rape. Dr. _____ Rist, M.D., psychiatrist Refused to counsel. Now deceased. Covered up crime with false diagnosis at McAuley's Psychiatric Institute for Children at St. Mary's Hospital, San Francisco
1995	3 days	Involuntary admission. Chope Hosp, San Mateo

(In 1998, Eva Al-Z. was tortured by Palestinian husband and his family in the Middle East. We suspect that they had something to do with the May, 1990 incident. He extorted \$185,000 from our family. In 1999, Eva's newborn was taken from her by county social workers sympathetic with the Palestinians and by the court because of her past diagnosis of psychosis.)

2001	2 weeks	Involuntary admission. San Mateo Medical Center psychiatric ward
2002	7 months	Involuntary admission. Treatment in Federal prison, which knew about diabetes, but did not treat illness. Heavy dosage of PMF. Caused severe, crippling pain.
2004	2 weeks	Involuntary admission. San Mateo Medical Center. Treated for diabetes and PMF. Taught prevention of diabetes. Dr. Mary M. Flynn M.D., psychiatrist: "Eva does not fit the criteria of a conservatorship."
3/6/05 to	Present	PMF continues daily

**D. DIABETES AND SLEEP DISORDER SYMPTOMS MIMIC PARANOID SCHIZOPHRENIA SYMPTOMS**

Unresponsiveness, vacant stare, confusion, agitation, and so on are symptoms for a seizure from diabetes. These symptoms were used by mental health practitioners and their supporters to label Eva Al-Z. as psychotic.

**E. THE CONSERVATORSHIP INVESTIGATION BEGINS AFTER DEPRIVING EVA OF FOOD, DRINK, WATER, SLEEP, BATHING FACILITIES FOR 38 HOURS**

Mental health practitioners and other county employees were determined to impose forced medical care on Eva Al-Z and began an investigation on **March 26, 2006** shortly after Dr. Flynn reported that Eva did not fit the criteria of a conservatorship. She was frightened by Sheriff Deputy Sean O'Donnell's surprise entry into her bedroom. She was ordered to go to Kaiser. He told her that she would live for two years at a facility. She saw the canine units outside the house

Psychiatrists at Kaiser Hospital of Redwood City created diabetic symptoms by not letting her have food, drink, water, sleep or access to bathing facilities for 38 hours. Her blood sugar rose to dangerous level: 397. The staff treated her like a criminal. She feared she would be returned to jail for any claim that they would make. Kaiser then sent her, still awake, to the psychiatric emergency services at San Mateo Medical Center at 4:00 a.m., March 27, 2007.

**F. LAW ENFORCEMENT OFFICERS' EVALUATION OF ISSUE OF NEED FOR ACUTE CARE LACKING DURING INVESTIGATION PERIOD FOR CONSERVATORSHIP**

Throughout the entire investigation for the conservatorship from March 26, 2005 to the trial on June 6, 2005, NO law enforcement officer wrote and filed an on-site, eyewitness report of Eva Al-Z.'s need for acute care for any reason including drug abuse and violence under Welfare and Institutions Code section 5150 on the date of the incident, if any.

While medical reports falsely state that she abuses drugs and is violent, the mental health practitioners never referred the matter to any law enforcement agency. According to medical reports, the violence occurred after the lock-up and behind the bolted doors of the psychiatric ward.

The locking up and denigration of persons based on only the word of mental health practitioners and other self-interested groups is a dangerous precedent for a society divided on the issue of forced and unnecessary medication.

**G. HEALTH OF EVA AL-Z. AND HER LIVING CONDITIONS AS OF MARCH 26, 2005**

Eva suffered no further problems with illnesses validly diagnosed by Dr. Verby above; namely diabetes, post-trauma, sleep disorder, weakened foot and asthma-related disorders. She learned how to avoid diabetic attacks. She was optimistic about her future. She counted on continued visits with her son. She was on good behavior in the federal probation program, which began in 2002 for a misdemeanor assault and would end on November, 2005. She considered having the conviction overturned because she believed that diabetes symptoms and side effects from the PMF in 2001 had caused her to be agitated in the airplane. She had a broad range of academic and practical skills and worked for the family business. The nurse reporting on her lack of need for institutional care wrote in Eva's medical report at this time that she has resources and family. She was not on disability.

**H. EFFECTS OF PSYCHOTROPIC MEDICATION GIVEN DAILY BETWEEN MARCH 27, 2005 TO THE PRESENT**

Eva Al-Z. suffered most of the side effects from the various psychotropic medication given to her every day on the above dates. The side effects suffered include heart, joint, kidney pain, and so on. (See pharmaceutical texts re risperdal, cogentin, haldol all of which the psychiatrists have forced on her.) Her complaints to the doctors or staff would be self-defeating, because the psychiatrist would then refer her to other doctors for the cure of the symptom or side effect, rather than treating the underlying cause of the symptom.

Painful withdrawal symptoms ensued, so that the doctors could claim that psychosis is recurring and can never be cured, but with their help, may be abated with PMF. Other side effects that she has suffered include masculinization, loss of periods for six-months at a time, heavy menses every day for months at a time.

**I. DEFINITION OF PSYCHOTROPIC OR ANTI-PSYCHOTIC MEDICATION**

"Psychotropic" means "acting on the mind." Medication that alters the brain through chemical means.

**J. SAN MATEO MEDICAL CENTER PSYCHIATRIC WARD**

*Chronology*

March 27, 2005

Still awake through 7:00 a.m., Eva Al-Z. had her first meal. The admission was involuntary, she was told. She was given PMF by Dr. Flynn. Thereafter, psych meds were given every day until stopped briefly on April, 2007 for suspicious reasons.

April 1, 2005

Hospital hearing held. Dr. Flynn pretended to look at initiating police reports. There were none, I found out later. Dr. Flynn diagnosed Eva Al-Z.'s condition as paranoid schizophrenic. Eva, upset, removed herself from the hearing.

April 13, 2005

Eva Al-Z., falsely written up as violent by SMMC staff and placed in isolation cell. Her wrists were restrained for about two hours. Dr. Flynn gave her an unusual amount of psych meds in time for Eva's petition for writ of habeas corpus hearing. Once in court, she could not get off the gurney because of the medication. She was greatly agitated from the drugs given her.

Her petition for release was denied. She was labeled as an LPS patient without a hearing and even before the petition was heard: "gravely disabled; a danger to herself or to others."

She was written up as hearing voices and requiring psych meds. She feared deprivation of food as it was the usual punishment for denying hearing voices. Dr. Flynn, as a cover-up, put her on a strict, protein-reduced diet. She falsely stated that Eva is obese.

She was also treated for diabetes by injection because of the Kaiser ordeal.

April 14, 2005

To our shock, Eva and I learned two weeks after a hearing that she was temporarily conserved by the county. Neither she nor I were served notice of the hearing. The psychiatrist under Dr. Flynn, Dr. Beverly Cox, M.D. did not know about the temporary conservatorship either

May 12, 2005

Dr. Flynn sent Eva to the third-floor lock-up of Cordilleras Mental Health Center in Redwood City before June 7, 2005, the date of the jury trial for the conservatorship. Cordilleras Mental Health Center was described by a worker there as a jump-off point for suicide. Eva was deliberately sent there to break her will before the conservatorship trial. She was confined in this facility for the next two years or longer. She spent her time in a ten-foot by ten-foot space, never allowed outdoors nor given weekend privilege to be with her family as were the others. There was the smell of urine in the visiting room. The patio was a small cage; a cigarette smell from the "men-only" patio. The staff was punitive when complaints were made. The custodial psychiatrist, G. Austin Conkey, M.D. told Eva that she would be there a long time. He told her that he did not want her to

live in her home or to be with her family.

The staff began painful monthly withdrawals of her blood by injection. Her periods stopped until January, 2007. She was forced to attend Alcohol Anonymous meetings, May 12, 2005 through April 1, 2007, even though she does not drink.

June 1, 2005

Lesbians were making out in the women's shower. Eva told me that they did not appear to be on any medication. She was not willing to take a shower then as commanded by the staff, which retaliated by not giving her soap until the January, 2006.

June 7, 2005- The Date of the Conservatorship Jury Trial

Eva was heavily drugged with PMF. The conservatorship was granted in favor of the county.

Dr. Conkey told Eva after the trial that he did not want me to visit her. She was harassed in her area at Cordilleras and was stalked by a male inmate around midnight near the hall bathroom. Her roommate withheld the key to the bathroom in their sleeping room, and Eva was forced to use the hall bathroom.

June 12, 2005

After Eva escaped from Cordilleras, sheriff deputies in her home forced her to return to the facility. She begged them to leave her alone.

June 13, 2005

I was no longer allowed to have contact with Eva. To punish her, the staff continued to deprive her of sufficient soap. Calls by visitors wanting to obtain permission to visit were not returned by Deputy Public Guardian James Abbedutto. Eva lived in isolation, deprived of toiletries, nail clippers.

A medical report confirms that Eva complained of inappropriate touching by a female nurse. I also complained. The report states that Eva (as an LPS patient) is "sexually vulnerable", implying that she could be a candidate for sterilization under the LPS laws.

August 2, 2005

Visitors found her with a bleeding, impacted nail and suffering from bronchitis.

September 15, 2005

Deputy Public Guardian Marcelle Moon obtained permission from the Family court to stop Eva's visits with her son, now eight years old (Case No. F055587). I am also barred from visiting with her son.

April 13, 2006

Eva learned from me about the false reports that were made against her in her medical record, but she could do nothing about it in her drugged state.

August, 2006

A visitor found Eva prostrate in her bedroom in sweltering heat. She was not given summer clothing by Deputy Public Guardian Moon. Eva was wearing only winter clothes out of modesty in the multi-sex facility. There was no fan in the room or adjoining lobby. Other floors in the facility were provided with a fan or air conditioner. Eva constantly complained about pain in her knees and feeling weaker.

July 11, 2006

Eva's conservatorship was renewed, even though she was only supposed to stay one year, according to social worker, Kirstie Goodman at Cordilleras. Eva was heavily drugged at this hearing. She had difficulty using her hands, which were contorted. Her walking was grotesque and she appeared to be in pain. She was aware that I was outside the courtroom and that I was not allowed to observe the trial or to make contact.

December, 2006

Staff members hostile to my helping Eva with litigation against the conservatorship were brought in to harass Eva. They subjected her to their name-calling, mockery. Eva was allowed outdoors for the first time in almost two years. She went to the beach, and in her weakened condition and wearing thin clothes, she caught a cold. On another day, she walked one-half block and had a foot blister, because she was unused to walking.

A quarantine was declared by the staff. Eva's family was not allowed to visit during the holidays. I have not yet confirmed with the California State Department whether the quarantine was authorized.

January, 2007

Men were allowed to use the shower room in the former women's shower. A male was allowed to occupy a room across from Eva's sleeping room normally in the women's end of the floor. Eva believed that she was not safe.

March, 2007

As a response to my complaint to Sheriff Deputy Meyers about intentional pain inflicted on Eva, certain nurses engaged in name-calling and mockery against Eva. They often called her a "hooker."

They pricked her fingertips on her index fingers numerous times per session. Each session was three times daily for seven consecutive days, while the nurses mockingly told her that her blood sugar was normal (120).

A few days later, another staff member, "Golda" injected Eva with "germs" to see how she would react.

@ April 1, 2007

Dr. Conkey transferred Eva to a halfway house in Daly City. Suddenly, PMF ceased. She complained about male strangers in the house. Doors were suddenly left unlocked during the day and she was encouraged to leave the house. She believed that her experience in Cordilleras and the conditions in the house, in a crime-ridden area of Daly City, were expected to lead her to prostitution.

April 25, 2007

To avoid any trap, she asked me to help her escape. I picked her up and we went about our business as though she were not conserved. She appeared extremely thin and complained first off that her heart hurts. She was obviously not on any medication and said that she was not medicated since around April 1, 2007.

April 29, 2007

She was forced to return to the halfway house by sheriff deputies.

May 2, 2007

She escaped on her own from the halfway house and walked to her grandfather's house. When he tried to send her back to the halfway house, she escaped again and walked more than four miles to get to her home in Menlo Park. Her toes were bleeding by the time she made it home with the help of a Highway Patrol officer.

May 3, 2007

Sheriff Deputy Vers forced Eva to return to the custody of the Public Guardian. She was sent to San Mateo Medical Center psychiatric ward. I was arrested and jailed.

May 28, 2007

I stood trial. Eva was brought in by the county as a witness against me. She was heavily drugged and frightened. She told the judge that the medication was unnecessary. She was drugged with haldol and cogent in. Her testimony was circumspect. She walked with difficulty and appeared to be in pain.

August 29, 2007

I was released from the county jail. The county was always aware of my location.

August 31, 2007

I received notice at 2:00 p.m. of a petition against Eva. The hearing date was already passed: August 31, 2007 at 9:00 a.m. County Counsel Finck informed me that her new Private Defender is for juveniles. I complained to the judge at the hearing, Hon. Barbara Mallach, to Private Defender Michele Hanley, and County Counsel Peter Finck about the lack of notice and the alleged mistrial. I have received no response.

Exhibit  
14

1  
2  
3 6. The conservatorship order that I am accused of disobeying does not  
4 prohibit contact with my daughter. (Exhibit 11 of conservatorship order ).  
5 Therefore, the restraining order is invalid.

6 7. The restraining order is based on the incident of June 12, 2005, when  
7 the "victim" was neither a dependent nor conserved, as the Letters of  
8 Conservatorship were not yet issued. Therefore, the restraining order is  
9 invalid.

10 (Exhibit 14 , the restraining order was filed on July 11, 2005. But the  
11 incident when I made the supposed illegal contact was June 12, 2005. Eva  
12 Al-Z. was not a dependent on June 12, 2005, because the Letters of  
13 Conservatorship had not been issued yet ( Exhibit 2, Letters of  
14 Conservatorship).

15 8. The restraining order falsely or incorrectly states that "the person  
16 seeking to be protected...[was] personally present at the court hearing. No  
17 additional proof of service of this restraining order is required." Since it was  
18 Eva Al-Z.'s legal right to appear given her capacity or legal standing on  
19 June 12, 2005 and since she was prohibited from appearing because the  
20 county had been drugging her every day, the restraining order is invalid.

21 The restraining order (Exhibit 14) states that she was personally  
22 present. She did not appear. As she was competent on the date of the  
23 incident on June 12, 2005, the county should have deposed her then on June  
24 12, 2005 or allowed her to appear *nunc pro tunc* in court for examination on  
25 the date of trial, July 11, 2005.

26 9. The restraining order (Exhibit 14) is invalid because Eva Al-Z. given  
27 her legal standing on June 12, 2005, the date of the incident upon which the  
28 order is based, was not served with the restraining order. Nor has the county  
given proof of service. Exhibit 13, the restraining order follows.

EA-130

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>THOMAS F. CASEY III, COUNTY COUNSEL #47562</b> By: Judith A. Holiber, Deputy #180619 Hall of Justice & Records 400 County Center, 6th Floor Redwood City, CA 94063 TELEPHONE NO. (Optional): (650) 363-4747 FAX NO. (Optional): (650) 363-4034 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>San Mateo County Public Guardian</b>	FOR COURT USE ONLY  <b>ENDORSED FILED</b> <b>SAN MATEO COUNTY</b>  JUL 11 2005 Clerk of the Superior Court <b>DONNA CARTER</b> By _____ DEPUTY CLERK
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>San Mateo</b> STREET ADDRESS: <b>400 County Center</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Redwood City, CA 94063</b> BRANCH NAME:	
PETITIONER: <b>SAN MATEO COUNTY PUBLIC GUARDIAN</b> RESPONDENT: <b>SHIRLEY VENOYA REMMERT</b>	
<b>RESTRAINING ORDER AFTER HEARING</b> <b>(Elder or Dependent Adult Abuse) (CLETS)</b>	CASE NUMBER: <b>114069</b>
THIS ORDER, EXCEPT FOR ANY AWARD OF ATTORNEY FEES AND COSTS, WILL EXPIRE AT MIDNIGHT ON (date): . IF DATE IS BLANK, THIS ORDER EXPIRES THREE YEARS FROM THE DATE OF ISSUANCE.	

1. This proceeding was heard by judicial officer (name): **Honorable Rosemary Pfeiffer**  
 on (date): **July 11, 2005** at (time): **9:00 a.m.** in Dept.: **14** Room: Div.:
2. a. ☒ The person seeking to be protected and the person to be restrained were personally present at the court hearing. No additional proof of service of this restraining order is required.
- b. ☐ The person seeking to be protected was personally present. Proof of service on the respondent of the *Order to Show Cause* and the *Petition for Protective Orders* was presented to the court.
- (1) ☐ The orders on this form are the same as on form EA-120 except for the end date. This order can be served by mail.
- (2) ☐ The orders on this form are different from those on form EA-120. Someone other than persons seeking to be protected must personally serve a copy of this order on the person to be restrained.
- c. ☐ By written stipulation, no additional proof of service of this restraining order is required.

## THE COURT FINDS

3. a. The restrained person is (name): **SHIRLEY VENOYA REMMERT**  
 b. The description of the restrained person is as follows:

Sex: ☐ M ☒ F Ht.: **5-04** Wt.: **120** Hair color: **Blk** Eye color: **Blk** Race: **Asian** Age: **58** Date of birth: **12/31/1946**

4. The protected person is (name):  
**EVA AL-ZAGHARI**
5. ☐ The residence exclusion order below is supported by the following facts:
- a. The person to be protected has a legal right to live at the residence located at (address):
- b. The person to be protected will suffer physical or emotional harm if the restrained person does not leave the residence.
- c. Title to or lease of the residence at the address listed above is not in the sole name of the person to be restrained nor is it in the name of the person to be restrained and another person besides the person to be protected.

PETITIONER: SAN MATEO COUNTY PUBLIC GUARDIAN	CASE NUMBER:
RESPONDENT: SHIRLEY VENOYA REMMERT	

## THE COURT ORDERS

## 6. PERSONAL CONDUCT ORDER

The restrained person must not:

- (1) ☒ abuse, intimidate, molest, attack, strike, stalk, threaten, sexually assault, batter, harass, destroy the personal property of, or disturb the peace of, the protected person.
- (2) ☒ telephone or contact directly or indirectly, by mail or otherwise, the protected person.

7. ☐ RESIDENCE EXCLUSION ORDER

The restrained person must immediately move from and must not return to the residence located at the address listed in item 5a.

8. ☒ STAY-AWAY ORDERThe restrained person must stay at least (specify): 200 yards away from the protected person and the following places:

- a. ☒ The protected person's residence located at (address):  
Cordilleras Mental Health Rehab Center, 200 Edmonds Road, Redwood City, CA 94062
- b. ☐ The protected person's place of work located at (address):
- c. ☐ The protected person's vehicle (specify):
- d. ☐ Other (specify):

9. ☒ FIREARMS PROHIBITION AND RELINQUISHMENT ORDER*(If the abuse alleged in this case is solely financial abuse unaccompanied by force, threat, harassment, intimidation, or any other form of abuse, no firearms prohibition or relinquishment order shall be issued.)*

The abuse alleged in this case is not solely financial abuse unaccompanied by force, threat, harassment, intimidation, or any other form of abuse. The restrained person is prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive any firearms, and must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control within

- (1) ☒ 24 hours after issuance of this order (if restrained person is present at hearing).
- (2) ☐ 48 hours after service of this order (if restrained person is not present at hearing).
- (3) ☐ other (specify):

If the restrained person owns, possesses, or controls any firearms, he or she must file a receipt with the court showing compliance with this order within 72 hours of receiving this order. (Form EA-145 may be used for this purpose.)

10. ☒ ADDITIONAL ORDERS (specify):

Public Guardian is to cooperate with any visitation order for mother and minor child as recommended by Family Court Services even if visitation includes Shirley Remmert.

11. ☐ NO FEE FOR SERVICE OF ORDER

Fees for service of this order by law enforcement are waived.

PETITIONER: SAN MATEO COUNTY PUBLIC GUARDIAN	CASE NUMBER:
RESPONDENT: SHIRLEY VENOYA REMMERT	

12. ☒ DELIVERY TO LAW ENFORCEMENT

A copy of this order and any proof of service must be given to the law enforcement agencies listed below by the following means:

- a. ☐ the protected person must deliver.  
b. ☒ the protected person's attorney must deliver.  
c. ☐ the clerk of the court must mail.

Law Enforcement AgencyAddress

Redwood City Police Department

1301 Maple Street, Redwood City, CA 94063

San Mateo County Sheriff

400 County Center, Redwood City, CA 94063

Date:

JUDICIAL OFFICER

**NOTICE REGARDING ENFORCEMENT OF THIS ORDER**

This order is effective when made. The law enforcement agency shall enforce the order immediately upon receipt. It is enforceable anywhere in California by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received, the law enforcement agency must advise the restrained person of the terms of the order and then enforce it.

Violation of this order is a misdemeanor, punishable by a \$1,000 fine, one year in jail, or both. This order must be enforced by all law enforcement officers in the state of California.

**NOTICE REGARDING FIREARMS**

Unless the abuse in this case is solely financial abuse unaccompanied by force, threat, harassment, intimidation, or any other form of abuse, the restrained person is prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive any firearm. Any such conduct is subject to a \$1,000 fine and imprisonment. You must sell any guns or firearms that you have under your control to a licensed gun dealer or turn them over to law enforcement in accordance with item 9 above.

(SEAL)

**CLERK'S CERTIFICATE**

I certify that the foregoing *Restraining Order After Hearing (Elder or Dependent Adult Abuse)* (CLETS) is a true and correct copy of the original on file in the court.

Date:

Clerk, by \_\_\_\_\_, Deputy

Exhibit  
15

1 **Claim Two:** I did not receive due process.

2 **Supporting Facts**

3 Pretrial

4 I was never arraigned for alleged crimes regarding Eva Al-Zaghari.  
5  
6 Private Defender Mitri Hanania did not check to see whether I had the  
7  
8 opportunity to plead guilty or not guilty as to those alleged crimes.  
9

10 I was, however, arraigned for an alleged crime of unauthorized  
11 contact with my mother without the Deputy Public Guardian Susann Woods'  
12 permission. I was arrested on March 26, 2005 and put in jail. The bail  
13 premium was posted at \$50,000. I paid \$5,000 and was released. I was  
14 arraigned and pleaded not-guilty before Hon. Thomas McGinn Smith, who  
15 said that the (bail) debt was discharged. The bail bond was \$50,000 for an  
16 alleged kidnapping of my mother. The case could have been prosecuted but  
17 for the bad publicity the prosecution would have engendered. Just before I  
18 helped my mother escape, the local newspapers announced that a state-  
19 imposed quarantine was imposed on Burlingame Long-Term Care after two  
20 or more deaths from the high bacterial count in the hospital.  
21

22 In addition, my mother's agitation for her right to appear in court led  
23  
24 the nursing home to place my relatively healthy mother in the terminal ward  
25  
26  
27  
28

1  
2 with all terminally ill patients in a vegetative state.

3 Exhibit 15 on the following pages show the discharge of the bond, the  
4 statement of "kidnap", which the District Attorney used to prejudice this  
5 trial, and the last and only response (March 18, 2005) to my mother's and  
6 my complaint about her treatment.  
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28

DEFENDANT

Name and Address of Bail Bond Agency

By

\$

BALANCE

## MEMORANDUM OF BAIL BOND FURNISHED

Defendant Shirley Bennett Amount of Bond \$ 50,000 Date Filed 3/26Charges 402 (A) 308 (S) 368 (B) (1) 47M4Date Released 3/26 Date to Appear 5/3 Time 9:00Case No. DV Court Muni City SSAReceived Copy of above Receipt and Memo (Signature of Defendant or Depositor) [Signature]

# POWER OF ATTORNEY LINCOLN GENERAL INSURANCE COMPANY

VOID IF NOT ISSUED BY: 09-Feb-06

POWER AMOUNT \$ \*\*\*\$50,000.00\*\*\*

POWER NO. LG50-290022

KNOW ALL MEN BY THESE PRESENTS that Lincoln General Insurance Company, a corporation duly organized and existing under the laws of the State of Pennsylvania and by the authority of the resolution adopted by the Board of Directors at a meeting duly called and held on May 1, 2002 which said Resolution has not been amended or rescinded, does constitute and appoint and by these presents does make, constitute and appoint the named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitations, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. Not valid for Federal Bail Bonds. This power void if altered or erased, void if used with other powers of this company or in combination with powers from any other surety company, void if used to furnish bail in excess of the stated face amount of this power, and can only be used once.

The obligation of the company shall not exceed the sum of

\*\*\*Fifty thousand dollars and no cents\*\*\*

and provided this Power-of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-in-Fact is hereby authorized to insert in this Power-of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, LINCOLN GENERAL INSURANCE COMPANY has caused these presents to be signed by its duly authorized attorney-in-fact, proper for the purpose and its corporate seal to be hereunto affixed this 26 day of March, year 2005.

Bond Amount \$ 50,000Defendant Bennett, Shirley VCourt MuniCity SSAState PA

If rewrite, original #

Executing Agent [Signature]

INDEMNITOR COPY

COURT COPY LGIC 55

## APPLICATION FOR EMERGENCY PROTECTIVE ORDER (CLETS)

EPO-001

(Name): Inspector K. Kashiwahara has provided the information in items 1-5.

LAW ENFORCEMENT CASE NUMBER:

200501025

1. PERSON(S) TO BE PROTECTED (insert names of all persons to be protected by this order):

Julia Carter Venoya2. PERSON TO BE RESTRAINED (name): Shirley Venoya RemmertSex: ☐ M ☒ F Ht.: 5-04 Wt.: 120 Hair color: Blk Eye color: Blk Race: B Age: 58 Date of birth: 12/31/1946

3. The events that cause the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (other than solely financial abuse), or stalking (including workplace violence or civil harassment) are (give facts and dates; specify weapons):

Remmert took the victim who resides in a residential care facility away and hid her in a motel in Redwood City. The victim is under conservatorship through the San Mateo County Public Guardian and no permission had been given to Remmert to remove her. Prior reports revealed that Remmert had hired someone to kidnap the victim at one time.4. ☐ The person to be protected lives with the person to be restrained and requests an order that the restrained person move out immediately from the address in item 9.5. a. ☐ The person to be protected has minor children in common with the person to be restrained, and a temporary custody order is requested because of the facts alleged in item 3. A custody order ☐ does ☐ does not exist.b. ☐ The person to be protected is a minor child in immediate danger of being abducted by the person to be restrained because of the facts alleged in item 3.6. ☐ A child welfare worker or probation officer has advised the undersigned that a juvenile court petition ☐ has already been filed. ☐ will be filed. ☐ will NOT be filed.7. ☒ Adult Protective Services has been notified.8. Phone call to (name of judicial officer): R. Pfeiffer on (date): 03/26/05 at (time): 1723☒ The judicial officer granted the Emergency Protective Order that follows.By: K. Kashiwahara

(PRINT NAME OF LAW ENFORCEMENT OFFICER)

(SIGNATURE OF LAW ENFORCEMENT OFFICER)

Agency: Burlingame Police DepartmentTelephone No.: (650) 777-4100 Badge No.: 10

## EMERGENCY PROTECTIVE ORDER (See reverse for important notices)

9. To restrained person (name): Shirley Venoya Remmerta. ☒ You must not contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, send any messages to, follow, stalk, destroy any personal property, or disturb the peace of each person named in item 1.b. ☒ You must ☒ stay away at least 100 yards from each person named in item 1. ☒ stay away at least 100 yards from ☐ move out immediately from(address): 1100 Trousdale Dr. Burlingame and 222 W. 39th Ave. San Mateo, CA10. ☐ (Name): \_\_\_\_\_ is given temporary care and control of the following minor children of the parties (names and ages): \_\_\_\_\_

11. Reasonable grounds for the issuance of this order exist and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking (including workplace violence or civil harassment).

12. THIS EMERGENCY PROTECTIVE ORDER WILL EXPIRE AT 5:00 P.M. ON: 04/04/200513. To protected person: If you need protection for a longer period of time, you must request restraining orders at (court name and address): San Mateo County Superior Court INSERT DATE OF FIFTH COURT DAY OR SEVENTH CALENDAR DAY, WHICHEVER IS EARLIER; DO NOT COUNT DAY THE ORDER IS GRANTED

## PROOF OF SERVICE

14. Person served (name): Shirley Venoya Remmert15. I personally delivered copies to the person served as follows: Date: 03/26/05 Time: 1800Address: 1111 Trousdale Dr. Burlingame16. At the time of service I was at least 18 years of age and not a party to this cause. ☐ I am a California sheriff or marshal.

17. My name, address, and telephone number are (this does not have to be server's home telephone number or address):

K. Kashiwahara 1111 Trousdale Dr. Burlingame, CA 94010 - Burlingame Police Department

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 03/26/05K. Kashiwahara, Inspector

(TYPE OR PRINT NAME OF SERVER)

(SIGNATURE OF SERVER)

Form Adopted for Mandatory Use  
Judicial Council of California  
EPO-001 (Rev. January 1, 2004)  
Approved by DOJEMERGENCY PROTECTIVE ORDER (CLETS)  
(Domestic Violence, Child Abuse, Elder or Dependent  
Adult Abuse, or Stalking (Workplace Violence, Civil Harassment))  
ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to issuing agencyFamily Code, § 6200 et seq.  
Penal Code, § 646.91American LegalNet, Inc.  
www.USCourtForms.com



California  
Department of  
Health Services

**SANDRA SHEWRY**  
Director

State of California—Health and Human Services Agency  
**Department of Health Services**



**ARNOLD SCHWARZENEGGER**  
Governor

March 18, 2005

Ms. Shirley Remmert  
P.O. Box 2577  
Menlo Park, CA 94026

Dear Ms. Remmert:

**FACILITY:** San Mateo Medical Center – Long Term Care

**COMPLAINT NUMBER:** CA 22-040961

The purpose of this letter is to inform you that this office is in receipt of your complaint regarding the above named facility.

The Licensing and Certification Program (L&C) is responsible for the licensing and certification of health facilities and the investigation of complaints. Before L&C can cite a facility for a violation of a state or federal regulation, there must be sufficient factual evidence that a violation did, in fact, occur. L&C must verify the violation through direct observation, interviews, or review of documents.

In accordance with Health and Safety Code, Section 1420(a)(1), you and/or your representative "may be allowed to accompany the inspector to the site of the alleged violations during his or her tour of the facility, unless the inspector determines that the privacy of any patient would be violated thereby." Should you and/or your representative wish to accompany the evaluator (inspector), please note the following restrictions necessary to ensure the privacy and confidentiality of all patients/records.

You and/or your representative **may not**:

- Conduct interviews or assist in conducting interviews.
- Conduct reviews of health records or other confidential materials such as personnel files or incident reports.
- Use cameras, video cameras, or tape recorders.

Exhibit  
16

1 This case began in August, 2006 as a case concerning my mother.  
2  
3 My daughter was never mentioned as a victim until the arraignment re Julia  
4 V. had passed. On March 6, 2006, the District Attorney and private  
5 defender agreed to drop the Julia V. matter and to prosecute me for the Eva  
6 Al-Z. matter only. The incidents re Eva Al-Z. should have been in a  
7  
8 separate case and trial. The incidents were not related at all. In my  
9  
10 mother's case, she was already conserved and forced to live in the terminal  
11 ward of a county hospital. In Eva Al-Z.'s situation, she was a private citizen,  
12  
13 neither conserved nor a dependent. She was in her bedroom when sheriff  
14 deputies barged in, detained her for questioning on March 26, 2005, and  
15  
16 forced her to go to Kaiser Hospital without cause. The Kaiser medical  
17  
18 record clearly states that she was not in police custody.

19 While I was not arrested for any matter regarding Eva Al-Z. on March  
20  
21 26, 2005, the court prejudicially denied the private defender's motion in  
22  
23 limine to exclude the facts of the Julia V. case on the date of incident, March  
24  
25 26, 2005.

#### Trial

26 1. Since I was acquitted of an alleged misdemeanor on March 26, 2005  
27  
28

1 (disobedience of conservatorship order and process) due to the fact that Eva  
2 Al-Z. was neither conserved nor a dependent, the court should have  
3 followed the said reasoning and acquitted me of the misdemeanor for which  
4 I am convicted; namely, the misdemeanor on March 26, 2005 (harm to a  
5 dependent).  
6  
7

8 The court should also have acquitted me of another misdemeanor for  
9 which I am convicted; namely, the misdemeanor on June 12, 2005 (harm to  
10 a dependent), since Eva Al-Z. was not a dependent until the Letters of  
11 Conservatorship made the order for conservatorship effective on June 13,  
12 2005 (Exhibit 2, Letters).  
13  
14  
15

16 In any case, for all three counts for which I am convicted including  
17 the two above and a third (April 13, 2005 incident, violation of restraining  
18 order), the court should have declared me not guilty, because of facial  
19 evidence for a mistrial due to lack of due process and lack of evidence.  
20  
21

22 2. Deputy County Counsel Judith A. Holiber allegedly tampered with  
23 the jury on November 17, 2006, around 11:15 a.m. According to the court  
24 docket, a jury member tried to warn or tell Mr. Hanania about misconduct.  
25 But I was not informed of the jury member's statement.  
26  
27

28 3. Mr. Hanania did not subpoena the witnesses that I asked for,

1 including the “victim”, Eva Al-z. He would not let me testify.

2  
3 4. The witnesses for the prosecution were not credible. Their testimony  
4 should not have been admitted. The private attorney should have objected  
5 to certain testimony.  
6

7 a. The custodial county psychiatrist’s statement that the “victim”  
8 is a felon is false.  
9

10 b. Deputy Sheriff’s reports were written more than a year after the  
11 incident.  
12

13 c. Other reports about the “victim” allegedly slandered her  
14 capacity and my fitness.  
15

16 5. Hon. Susan Etezadi denied my private defender’s motion for a  
17 mistrial, as the defender stated that he did not have sufficient discovery  
18 information as to witness Marcelle Moon, Deputy Public Guardian. After  
19 Mr. Hanania privately made this motion to the judge, he did not tell me that  
20 this motion was made (Statements in court docket.)  
21

22  
23 6. Mr. Hanania ignored my request to be *in pro per* for my motion in  
24 Arrest of Judgment or Retrial. I filed the motion for a hearing on January  
25 10, 2007 after I discovered Ms. Holiber’s alleged tampering. Hon. H. James  
26 Ellis stated that the hearing would be continued to January 17, 2007. On  
27  
28

1 that date, Hon. Etezadi stated that she would not consider any of my  
2 motions and she proceeded to sentence me. Exhibit 16, transcript of  
3 January 10, 2007 hearing; Hon. Ellis' statement follows.  
4  
5  
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Exhibit  
16

IN THE SUPERIOR COURT

THE STATE OF CALIFORNIA, COUNTY OF SAN MATEO

COPY

PEOPLE OF THE STATE OF CALIFORNIA, )  
 )  
 PLAINTIFF, )  
 )  
 VS. ) NO. SM 340531A  
 )  
 SHIRLEY REMMERT, )  
 )  
 DEFENDANT. )  
 \_\_\_\_\_ )

REPORTER'S TRANSCRIPT OF PROCEEDINGS

BEFORE: HON. H. JAMES ELLIS, JUDGE

DEPARTMENT 12

JANUARY 10, 2007

A P P E A R A N C E S:

FOR THE PEOPLE: JAMES P. FOX, DISTRICT ATTORNEY  
OF SAN MATEO COUNTY  
BY: LINDA EUFUSIA, Deputy  
HALL OF JUSTICE AND RECORDS  
400 COUNTY CENTER  
REDWOOD CITY, CA 94063-1655

FOR THE DEFENDANT: MITRI HANANIA, ESQUIRE

REPORTED BY: JENELL MULLANE, CSR #5302

P R O C E E D I N G S

Redwood City, California

January 10, 2007

Morning Session

-----

THE COURT: Call the matter on line 9, Shirley Remmert.

MS. EUFUSIA: Linda Eufusia for the People in that matter.

MR. HANANIA: Good morning, Judge Ellis. Mitri Hanania appearing for Miss Remmert. She is present.

THE COURT: I understand that Miss Remmert's matter is on for sentencing before Judge Etezadi on January the 17th. And I note that evidently that your client was allowed to, should not have been, but was allowed to file a motion with the Court.

Under the circumstances, I would be inclined to continue this motion, also, to the 17th so those matters can be addressed at the same time.

MR. HANANIA: That is correct.

I didn't authorize the motion.

THE COURT: I'm aware of that.

Matter continued, then, to January the 17th at 9:00 a.m. before Judge Etezadi. She's Department 18, but sitting in South San Francisco, and that's Courtroom J, and that would be the order at this time.

MR. HANANIA: Thanks, Judge.

(Proceedings for this day were concluded and the matter was continued to January 17, 2007, at 9:00 a.m. for further proceedings.)

IN THE SUPERIOR COURT

THE STATE OF CALIFORNIA, COUNTY OF SAN MATEO

DEPARTMENT NO. 12

HON. H. JAMES ELLIS, JUDGE

THE PEOPLE OF THE STATE )  
OF CALIFORNIA, )

PLAINTIFF, )

VS. )

NO. SM 340531A

SHIRLEY REMMERT, )

REPORTER'S CERTIFICATE

DEFENDANT. )

STATE OF CALIFORNIA)

) SS

COUNTY OF SAN MATEO)

I, JENELL MULLANE, Official Reporter of the  
Superior Courts of the State of California, County of  
San Mateo, do hereby certify that the foregoing  
Pages 2 through 3, inclusive, comprise a full, true, and  
correct transcript of the proceedings taken in the matter of  
the above-entitled cause.

DATED: March 19, 2007

**JENELL L. MULLANE, CSR**

JENELL MULLANE, CSR #5302  
OFFICIAL REPORTER, SUPERIOR COURT

1 7. The private defender in his opening statement stated that the  
2 conservatorship is illegal, but he did not present the evidence which was  
3 ready to be shown to the court.  
4

5 Sentencing  
6

7 The trial court violated the prohibition against reading or considering  
8 the prior probation report without my consent in violation of Penal Code  
9 sec. 1204.15. I saw the report just before the sentencing hearing and had no  
10 time to read it or consider it, to correct errors, and to serve a response. The  
11 court did not seek a waiver of the prejudicial reading of the report.  
12

13 **Claim Three:** Marsden Defense  
14

15 **Supporting Facts**  
16

17 1. Claim Two (Lack of Due Process) is incorporated.  
18

19 **Claim Four:** The county never proved that I harmed my daughter.  
20

21 **Supporting Facts**  
22

23 The county never proved that I called or talked to my daughter on the  
24 date of the incident of April 13, 2006 (violation of restraining order).  
25

26 Alleged harm in all other incidents was not documented with doctors'  
27 or law enforcement reports.  
28

**Claim Five:** Violation of my constitutional and civil rights

**Supporting Facts**

I was prosecuted in violation of my constitutional and civil rights (1<sup>st</sup>; 14<sup>th</sup> amendments; CC sec. 52 et seq.); 42 U.S.C. sec. 1983).

**Claim Six: Government Employees' Intentionally Perjured Testimony****Supporting Facts**

There has been a long history of government employees' harassment and intimidation in violation of Gov sec. 8547.2 and .3. I was convicted by perjured testimony knowingly presented by government employees of the State and therefore, I am entitled to have the convictions reversed.

**Claim Seven: Necessity and Justification**

The county is committing malpractice and causing irreparable injuries upon my daughter, since she was not a 5150 when the county assumed its custody over her. Some county employees are also trying to disable or kill her in violation of the American Disability Act and Penal codes . I request judicial notice of June 30, 2005 Declaration that psychiatrist Dr. Austin G. Conkey, M.D. was attempting to murder her by causing her post-traumatic recurrence (Case No. 108876 LPS).

**Claim Eight: Malicious and retaliatory prosecution**

Supporting facts are in the evidence presented and offered including

1  
2 the court record.

3 **Claim Nine:** Abuse of court's discretion

4  
5 **Supporting Facts**

6 Supporting facts are in the evidence presented including the court  
7  
8 record.

1 need more space. Answer the same questions for each claim.

2 [Note: You must present ALL your claims in your first federal habeas petition. Subsequent  
3 petitions may be dismissed without review on the merits. 28 U.S.C. §§ 2244(b); McCleskey v. Zant,  
4 499 U.S. 467, 111 S. Ct. 1454, 113 L. Ed. 2d 517 (1991).]

5 Claim One:

6  
7 Supporting Facts:

8  
9  
10  
11 Claim Two:

12  
13 Supporting Facts:

14  
15  
16  
17 Claim Three:

18  
19 Supporting Facts:

20  
21  
22  
23 If any of these grounds was not previously presented to any other court, state briefly which  
24 grounds were not presented and why. *Violation of Pen. C. sec. 1204.5 by court*  
25 *(failure to <sup>seek</sup> waiver of reading of probation report before my*  
26 *response) I inadvertently overlooked this violation. In*  
27 *any event, I considered the entire proceeding to be a*  
28 *MISTRIAL.*

*6f-1*

1 List, by name and citation only, any cases that you think are close factually to yours so that they  
2 are an example of the error you believe occurred in your case. Do not discuss the holding or reasoning  
3 of these cases:

4 LARRY WOLLERSHEIM V. CHURCH OF SCIENTOLOGY OF CALIFORNIA,  
5 NO. B023193, COURT OF APPEAL, SECOND DISTRICT,  
6 DIVISION 7, CALIFORNIA, JULY 18, 1989.

7 Do you have an attorney for this petition? Yes \_\_\_\_\_ No X

8 If you do, give the name and address of your attorney:  
9 \_\_\_\_\_

10 WHEREFORE, petitioner prays that the Court grant petitioner relief to which s/he may be entitled in  
11 this proceeding. I verify under penalty of perjury that the foregoing <sup>and entire pleading</sup> is true and correct.

12  
13 Executed on February 17, 2008

14 Date

Shirley V. Remmert

Signature of Petitioner

15  
16  
17  
18  
19  
20 (Rev. 6/02)

Exhibit  
17

**S159655**

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

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In re SHIRLEY V. REMMERT on Habeas Corpus

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The application for stay and petition for writ of habeas corpus are denied.

SUPREME COURT  
**FILED**

FEB 13 2008

Frederick K. Ohlrich Clerk

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Deputy

**GEORGE**  
\_\_\_\_\_  
Chief Justice

ADDENDUM

Re: Harm to Dependent (Case No. SM340531A)/ I never received notice that I could not leave Cordilleras Center with my daughter

1. Eva Al-Zaghari and I left Cordilleras on June 11, 2005. She was recaptured by deputy sheriff officers and returned to Cordilleras (Case No. SM340531A).

2. The conservatorship order filed June 7, 2005 does not say Eva Al-Z. may not leave any particular treatment center. The order does not say that she has to stay locked up in a treatment center. Cordilleras' "clients" freely came and went. The policy to allow clients to stay at home on weekends was liberally given to them.

3. I learned in April, 2006 through discovery in Case No. SM340531A that both San Mateo Medical Center and Cordilleras had a written policy of discouraging my visits with Eva Al-Z.

The staff's action in not informing me of a deemed crime plus their unrelenting physical and mental abuse of my daughter suggests their entrapping me for crime.

Therefore, I never received notice that I was committing an act that the staff was prepared to present as a crime.

Other Proof of Hon. Susan Etezadi's Bias in the trial for Case No.  
SM340531A

I believe that Hon. Etezadi went out of her way to be the judge at my trial. One of the clerks at the Northern Branch informed me that at the time of my trial, the said judge was recently assigned her post and was not yet given a courtroom in the South San Francisco court.

*February 25, 2008 Shirley V. Remmert*

2<sup>nd</sup> ADDENDUM

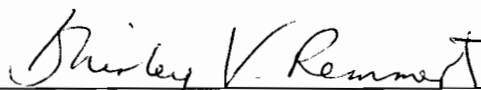
Errors in Court Record

1. I maintain that I was never arraigned for the criminal action involving Eva Al-Zaghari. The court docket for Case No. SM340531A states that I appeared with Attorney Hanania before Hon. Barbara J. Mallach on 8-09-06. That statement is false. I did not appear but waited outside the courtroom as Mr. Hanania, my private defender, instructed.

I am certain that the court transcripts will show that I made no plea regarding the Eva Al-Z. matter. My private defender never mentioned the subject of arraignment.

2. Another error in the criminal case docket is the time that Deputy County Counsel Judith A. Holiber made alleged eye and signaling contact with Jury foreman \_\_\_\_\_ Skinnell on November 17, 2006. That alleged act occurred just before she, as the last witness of the day, finished her testimony at or around 11:15 a.m. The docket lists the end of testimony as 10:30 a.m.

DATE: March 11, 2008



Plaintiff Pro Se